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The American Political Science Review

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The American Political Science Review

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NEGLECTED ASPECTS OF POLITICAL SCIENCE*

CHARLES A. BEARD

New Milford, Connecticut

Since our Association was founded more than forty years ago, many things have happened under the head of political science. Men and women as political animals have supplied scholars with new data sufficient in volume and variety to satisfy the most exacting minds in the profession. At our annual sessions, numerous learned papers have been read and discussed. At our universities, new courses of studies have flowered luxuriantly. From the workshops of the guild, books and articles have poured forth in a copious stream. Several of our members have achieved distinction, indeed renown, in the public services; while, as far as I can discover, none has been sent to prison under the presidential decree of 1947 against that type of lawful dissent stigmatized as subversive activity. As if in testimony to our good works, it should be added that the amount of money now laid out per annum for political science is many times the sum expended long ago when we were young.

It might seem, then, an act of temerity even to suggest that anything under the sun has been neglected or less than perfectly disposed of in our golden age, our best of promised lands. Undoubtedly it is temerarious for one like myself, with eyes full of beams, to raise questions about stray motes in the eyes of members who may be properly satisfied with their accomplishments. Yet, on the other hand, there is some authority in our tradition and methodology, no less than in the practice of free enterprise, for occasional surveys or audits designed to find out whether in fact our liabilities are fully covered by assets, fixed and liquid. At all events, under color

* An address delivered before the American Political Science Association at Washington, D. C., December 29, 1947.

of this authority I venture to enumerate a few odds and ends which may prove useful to truly competent auditors when, as, and if a final balance sheet is drawn up for St. Peter's information on judgment day.

Before descending into particulars, I may be pardoned a reference to a deficiency in operating theory. I put it first for the reason that in my opinion it has the most pertinence to the quality, soundness, and endurance of the work we do. Indeed this deficiency may and often does lead to a complete default in the choice of topics for research, in the formulation of answerable questions, and in drawing alleged conclusions from descriptions and tabulations. It is, to be brief, our general disregard of the primary truth that in thinking and writing about government or any aspect thereof all of us necessarily proceed upon some presupposed and controlling theory of knowledge, certainty, probability, possibility, and conviction. The theory may be dim or clear, but it is there in the mind as a directing force.

It would ill become me to hint that any of the great masters under whom as a youth I had the privilege of studying in any way failed to discharge their duties. They did, I am sure, the best they could with the raw material supplied to them by Nature or Providence, but they did not impress upon me with adequate energy this primary truth concerning our intellectual operations in thinking and writing about government. Perhaps in youth there is a robust impatience with the exploration of preliminary theories, coupled with a certain eagerness to jump at once into the middle of things, tell the long-suffering world what it needs to know, and provide it with remedies for its patent ills. Such impatience and eagerness are, of course, not peculiar to youth. They appear also in minds supposed to be mature and are then often accompanied by an arrogance that mistakes personal opinions for divine revelations. At all events, I was slow in taking up systematically and zealously the exploration of theories of knowledge.

If the arrogance that mistakes opinions for divine revelations had been confined entirely to myself between 1895 and the present time, I should not feel at liberty to bring up here a matter so purely personal. But I no longer feel alone in this respect. Since I shed my academic frock thirty years ago, I have spent spacious days and evenings in reading the works of my learned contemporaries and the speeches of politicians engaged in ruling us, and I have found

traces of this arrogance spread far and wide over the world. Hence what might otherwise appear purely personal acquires a relevance to the theory and practice of government in the large.

Without going into my efforts at self-education in theories of knowledge, certainty, probability, possibility, and conviction, I shall simply mention two works, among many, which have been especially helpful to me in trying to get at the validity of what we are told by our rulers and instructors and in struggling to differentiate between knowledge and moral overstrain.

The first of these works is E. W. Hobson's *The Domain of Natural Science* (1924). Therein appears a calm and thoughtful treatment of our universe and the powers and limitations of the natural sciences, without resort to metaphysics or theology. Though highly technical in part, it is so clearly, humbly, and beautifully written that even scientists and theologians might learn something from it.

The other work is Hans Vaihinger's *The Philosophy of "As If,"* translated from the German in 1925. Therein appears an informing examination of the basic assumptions in intellectual procedures of many kinds. Therein appears also a wholesome warning to all of us against the deadly peril that immediately besets us when thought is separated from action and theoretical thinking is made an end in itself—the horrible results of which were described long ago by Erasmus in a volume still amusing and instructive: *In Praise of Folly.*

As a result of much study and reflection, I have come to the conviction that we have no justification whatever for regarding our universe as a unified process under law and hence reducible to an exact science, either physical or political; and still less justification for supposing that, given the nature of our minds, we can grasp the scheme of things entire in its three-dimensional fullness.

The operating theory of what confronts us, at which I have now arrived, is ancient and simple. I see in political affairs three probabilities of high degree and the demiurgic personality that makes history within limits.

One probability is necessity, or determinism; for instance, the necessity that makes the use of the English language unavoidable in American courts of law, with many things thereby inexorably implied. The second is fortune, chance, contingency, conjuncture—the situation in which it doth seem that by human action, creative

or destructive or both, affairs may be given a radical turn one way or another. The third is the living force of the human being—man and woman—at work within the limits of necessity, struggling for some kind of self-expression.

Keen is the mind that can discover the nature and limits of necessity in human affairs. Yet if there were no necessity, all would be chaos, in which the consequences of human action would be incalculable; for instance, the immediate results of legislation and administration would be simply unpredictable. No less keen is the mind that can discern the nature and possibilities of any conjuncture, and no less keen the mind that can grasp and gauge the power of the living force in human beings expressed in choices and actions.

The demiurgic personality that often emerges in an assumed or obvious or created contigency is the unique figure which stands out above others at the time and is highly instrumental in driving a given society, or indeed several societies, into a new and strange course; Cæsar, Cromwell, Washington, and Napoleon, for example. The emergence of such a personality at a particular moment has the semblance of fortuity. For, it is a well established fact that many historic crises have ended in the destruction of societies and governments, and hence it cannot be taken as certain that every crisis will produce its appropriate savior who brings peace of mind and due satisfaction to all deserving people. As Marxians may well remember, the *Communist Manifesto* teaches that class fights may end in a reconstruction of society or in a destruction of the contending parties. Moreover, what seems to be salvation for a season may at length turn out to be a mere social paroxysm prior to death and extinction.

Each personality of this general class is unique, as is in fact the conjuncture itself. With uniqueness, factual analysis can do little. History may, it is true, describe with a high degree of accuracy the circumstances which made possible the functioning of a demiurgic personality at a given time; but neither history nor political science has yet sprung the secret of the hero, leader, demagogue, or tyrant in the conjuncture. Although rumors are afloat to the effect that psychiatrists have turned the trick without the benefit of historical or political knowledge, confirmation of these rumors had not reached the backward parts of Connecticut as of Christmas day.

With those manifestations of our political world which are in the nature of necessity, the science of observation, numerical assign-

ment, tabulation, computation, deduction, and description can achieve results of the highest value for theory and practice. In this area, the hypothesis, so effective in physical science, may be safely employed; for the hypothesis is a proposition that can be proved true or false by observation or experimentation, at least temporarily and while other things remain the same. In this area also the number of projects that can be undertaken has no discernible limits. Yet all such manifestations are in part conditioned and in part determined by what happens in and to the larger context of society always in processes of change.

It is here that our intellectual troubles begin. We cannot grasp the whole scheme of things in its three-dimensional fullness. When we treat any part or phase of the scheme, we arbitrarily sever, in thought only, that part or phase from its conditioning and determining context and thus arrive at less than the whole truth in the case, for either theory or practice. It follows then that our principal instrument of cogitation in political science is a construct or symbol which represents only a portion or phase of the whole at best. To this operating construct or symbol, Vaihinger gives the technical name of fiction. When we refer to the economic man, the political animal, the national interest, world affairs, the executive power, and liberty-loving nations, we are employing fictions for the purpose of convenience. They are partial truths at most and fantastic delusions at worst. If taken as absolutely true, the fiction may become an ideology and the progenitor of brutal dogmatism or barbaric action. If well grounded in substantial knowledge, safeguarded by discerning judgment, and used with awareness of its nature and limitations, the fiction may be a powerful agency of research and thinking. If otherwise employed, it may fill giddy minds with absurdities. At any rate, it is the principal instrument for intellectual operations of a constructive nature in political science.

No doubt some tribulations and dangers may arise from the use of the technical word "fiction" with reference to speeches and works on government. Thoughtless persons might imagine that thereby our beautiful science is being affiliated with a modern branch of popular literature, illustrated by *Forever Amber*. Still worse. Suppose it became generally known in Congress, the White House, and other high places that any professors of political science regarded all solemn addresses and state papers as fictional in nature, that is, as embracing less than the whole and final truth of

particular matters. What would happen? It is likely that the orators and authors, genuine and ghost, would break the bonds of constitutional limitations.

As if aware of these perils, many of our colleagues and contemporaries make use of the word "problem" instead of fiction, thus insinuating that some phases of public business have not been definitely settled by fiats from Mount Olympus. The frequency with which the term "problem" occurs in present writings and disquisitions seems indicative of this mood. Thick as autumn leaves are reports of books and conferences on "problems of capital and labor," "the woman problem," "problems of international trade," "problems of permanent peace," and so forth without end.

Such problems are, of course, merely fictions created by busy and imaginative minds—usually with "the correct answers" rendered implicit, if not explicit, by the very terms of the respective formulations. This is a feature of our intellectual prestidigitation which has been grievously neglected, in my opinion. The human mind seems able to ask a million questions which only Omniscience can answer and to devise so-called problems that are utterly beyond solution by any operations known to mortals. Nevertheless a lot of people apparently believe that their moral and mental stature is to be measured by the magnitude of the problems they formulate and the magnificence of the assurance with which they offer pleasing solutions. In my way of thinking, "problem" is a word to be avoided in political science, and the term fiction should be substituted for it as a kind of public advertisement that our books and articles seldom, if ever, box the compass of universal knowledge and wisdom. So much for my fragments on preliminary theories.

If an Irish bull were admissible in such a peaceful assembly, I might open my main discourse by saying that the most neglected aspect of government is government itself, as a whole, as a going-concern, far-going in the centuries, in all its branches and ramifications, in its foundations and sustaining forces—economic, moral, and intellectual. This point, however, I shall merely emphasize by asking a question: Has any work conceived in such fullness and spirit been published in the United States, or indeed anywhere else, since the establishment of the American Political Science Association at the beginning of this century?

With few exceptions, current books and articles on government strike me as shallow, in the sense that they purport to describe po-

litical theories, institutions, and practices floating around loosely on the surface of today or the imaginations of tomorrow. They have little or no time-depth; nor are they marked by an awareness of a long future—a future far beyond the tumult, shouting, and illusions of the hour. Having watched, for about twenty thousand days, mighty men and mighty events shoot up into the headlines of newspapers and the pages of weighty treatises and then sink with varying degrees of rapidity into the shadows, if not oblivion, I now suspect all thunderous judgments grounded in a mere memory of ten days or even ten years.

Over our writings on government—both academic and popular—hangs an air of unreality and formalism, despite the number of sheep in lion's clothing engaged in emulating Jove. It appears to be out of style, if not indecent, to apply persistently and without respect to personalities, parties, or factions what John Morley calls "the Socratic elenchus, or any other engine of criticism, skepticism, or verification" to current assurances, dogmas, and bigotries.

The curious ceremonials of our party politics lend countenance to this superficiality and this positive distaste for using engines of verification on cherished contentions and alarms. Almost daily we hear leaders of the Democratic party, which embraces about forty per cent of the voters, denouncing Republicans as incompetent to govern the country, to say nothing of managing the world; and at the same time we hear leaders of the Republican party, which includes about the same proportion of the electorate, paying Democrats back in their own coin. Outside the charmed circle of these major parties are roughly twenty per cent of the voters who entertain grave doubts respecting the integrity and competence of both Democrats and Republicans and are in turn denounced as crackpots and subversives. Yet on ceremonial occasions, the hottest of these partisans can speak without a smile, indeed with the confidence of infallibility, on the inspired competence of the American people for self-government and the moral leadership of the world.

The only remedy I can imagine for such ritualistic fantasies is the development and inculcation of a strong historical sense. Such a sense deeply rooted in the public mind would make it impossible for politicians and writers to assume with safety that nothing said, promised, or done yesterday will be remembered today or ever be recalled in the pages of history. I see no hope whatever in the reci-

tation of sociological or psychological phrases as a hedge against the complete loss of memory.

Were I called upon to assign weights to our neglects in detail, I should be inclined to reply that the greatest is our general indifference to foreign affairs and war. Here I make a distinction, for more than convenience, between foreign affairs and foreign policy. American foreign policy consists of official declarations setting forth the principles that are supposed to guide the United States in its relations with foreign governments. Foreign affairs, on the other hand, consist of things done to or with foreign governments, presumably in fulfilment of announced policy. Of books and articles on policy we have a huge supply, if not a surfeit; while with respect to the realities of diplomatic practice we are like unto people who sit in the gloaming, if not in utter darkness.

Relatively speaking, foreign policy is an easy branch of study, at least in its major aspects. Pronouncements on policy are proclaimed from the house-tops by officials, with special reference to election returns and the hyphen-vote; and these declarations, incorporated in documents, are available to all literate persons, even those not in good standing with the White House, the Department of State, the National Military Establishment, and members of Congress. Anybody able to read and write can copy extracts from these documents, paste them together, make comparisons and contrasts, and issue big books on the subject, bearing all the signs of scholarship, including footnotes. Accordingly we have not only huge works on official plans and policies for the direction of foreign affairs and the world; we also have digests of such plans and policies for ready use in debating societies and elementary schools.

Nor does there seem to be any danger that this aspect of government will be slighted, at least in the near future; for the study of it is deliberately subsidized in our institutions of learning by funds derived from foundations established for propaganda purposes. Indeed the business of expounding and writing commentaries on projects for ordering up the world and its several parts on correct principles has become a heavy industry in academic circles, and those who engage in it zealously can count on rewards and applause.

On the other hand, the pursuit of knowledge about foreign affairs, in this age of open diplomacy, has become an aleatory, if not a dangerous, trade. Numerous fateful actions and commitments of the United States Government in recent years have not been re-

corded or, if recorded, have been buried in archives closed to everybody except officials and favorites of the Administration in power. Again and again the White House and the State Department have made available to their approved writers secret information which, if safe to reveal at all in the public interest, should have been issued as official documents for the use of everybody concerned. Furthermore, high authorities in Washington have allowed journalists to make money out of publishing such information.

This is only a small part of the story. Retiring officials, as private persons, have carried off official papers or digests of official papers containing vital secrets; and for their own satisfaction if not glory, they have published such parts as they, in their own wisdom, have deemed it fitting for the public to buy and read. Only a few months ago, a retired official who had told one story in 1941 gave a contradictory version of it in 1947 in a popular magazine (at a price) and blandly announced that he was then publishing "for the first time" a part of a top secret paper from a collection which, if opened at all, should have been opened to the public. Still more recently we have witnessed the strange spectacle of an Undersecretary of State, retired, denying the truth of a statement by a Secretary of State, retired, based on papers or notes which he had carried off as a private citizen on his retirement. Verily, the way of the student of foreign affairs, especially if he is stiff in the knees, is hard and leads to the peril of battle and sudden death.

As for our neglect of war—a form of and intimate associate of foreign affairs—it has been even greater, although the materials for the study of the subject are more abundantly available. The reasons for this oversight are various. One of them is the supposedly moral concept of ourselves as "a peace-loving people." Any professor who challenges the truth of it is likely to be treated as a rude and wanton disturber of a prayer-meeting.

But the challenge has been made more than once. Nearly twenty years ago, a high authority on war and peace, after speaking of successive wars in Western Europe, remarked: "We can't say much better for ourselves, can we? The Revolution, the so-called war with France in 1800, the War of 1812, the Mexican War in 1848, the War between the States in the Sixties, the Spanish-American War in 1898, and the World War in 1917. Yes, we are a very peace-loving people, aren't we?" The high authority who expressed these doubts about our pacific proclivities was Franklin D. Roose-

velt. He did it publicly in 1928, and since that year history has added a new and bigger war to his list. Nevertheless, the idea that we are a peace-loving people prevails widely in the United States and war is treated, not as a primary datum of American political history, marked by some of the certainty that characterizes death and taxes, but as a wicked practice forced upon us, much to our indignation, by aggressive foreigners and then waged by us only for enduring peace, world democracy, and the rights of oppressed peoples.

Our neglects in the sphere of domestic affairs, I shall refrain from mentioning. Whoever dwells upon them now is more than likely to be charged with indifference to our world obligations. Besides, the United States has come, in its mid-passage, to the point at which the exigencies of foreign commitments and preparedness for the next war have acquired a terrific preponderance over domestic requirements, whatever they may be. Already we have been impressively informed by high officials of the Government, as well as by spokesmen of exporting interests, that unless large and expanding outlets for American goods are provided abroad by public spending, lending, and giving, another calamity akin to that which fell upon the country in 1929, but far more direful, will bring our economy down in a crash. For this broad statement full warrant is to be found in that treasury of prose and poetry, the *Congressional Record* for the calendar year 1947.

Perhaps the crash will come anyhow, no matter what is done in the way of lending, spending, and giving in Europe and Asia. But in the meantime, the generally and passionately accepted hope for keeping capitalists busy, industrial workers fully employed, and farmers reasonably contented appears to lie in the manipulation of trade and credits abroad, and not in domestic measures for the stimulus of incentives and the distribution of wealth at home.

Having followed for fifty years changes in the emphasis given to aspects of government by American writers and the perduring thinness of our thinking, I have often wondered about the reasons for the shifting weights and glaring inadequacies of our several studies in the general run of things. I have found no satisfactory answers to my inquiries, but I think that many of our neglects, overstresses, and superficialities are due to the divorce of political science from history and the almost frantic specialization in university education, journalism, and other professional pursuits.

Although this specialization, in which present interests and excitements are divorced from time, has increased knowledge respecting particular matters, its tendency is, in the nature of things, to restrict the vision, narrow thought, sever all branches of learning from their living sources, and, in the words of A. N. Whitehead, "trivialize the mentality of the teaching profession." Yet powerful forces called practical serve to strengthen rather than diminish its drive in the direction of moral and intellectual disorder. Our faith in a commission of experts is among the wonders of the universe—especially if the commission has been properly "streamlined" by over-all "know-how."

Is it possible for us to reduce, if not break, the tyranny of specialization and alleged expertness over the human spirit and enlarge the power of informed and discerning judgment in the study and conduct of public affairs? I am by no means sure, but it has occurred to me that a few simple practices or exercises might be helpful. We could consider more carefully than hitherto our operating assumptions and daily remember the probability that we may be less than omniscient, despite the number of facts and opinions in our heads and filing cases. We could, by deliberate resolve, widen our observation of life and deepen our study of the human forces that underlie and come to expression in government as a phase of life. Every morning we could put away the horrible temptation to take pride in what we have thus far done and by turning in upon our cherished conceits perhaps curtail their virulence, thereby expanding the circle of friendship. We might contribute a little to the advancement of learning and good will among peoples by trying to see ourselves as other nations see us, to think of them as far as possible in terms of their thought of themselves, and to get rid of the insidious idea that the United States has been designated by God as a kind of cosmic committee for the Americanization of mankind and the final revision of universal history. Such daily exercises, it seems to me, are within the realm of possibility.

At the very least, we could strive to make our political science three-dimensional, instead of superficial and abstract, by anchoring it and every part of it in the substance, concreteness, sweep, and thought of great history—a powerful corrective for the despotism of sentimental abstractions cut off from the one penetrating question to which some answers may be found: who, what, where, and when? At the time our Association was being formed more than

forty years ago, my esteemed master, John William Burgess, deplored the divorce of political science from history. He was firmly convinced that the divorce was a dreadful mistake in judgment and that if political science, economics, law, and sociology were cut entirely loose from history they would become theoretical, superficial, and speculative, or what might be worse, merely "practical," that is, subservient to vested interests and politicians temporarily in power. By this separation, he believed, they would break contacts with long human experience in the conduct of government and thus furnish no seasoned standards for making those epochal judgments which constitute the highest acts of statesmanship so fateful for the life and death of nations.

To adepts in the very newest psychology and all who imagine that God speaks through them, the intellectual and moral exercises I have just proposed may seem inane. If so, I shall file no objection. For aught I know, all the world may be a stage and all men and women merely actors in it, speaking their predetermined lines to the end. Yet I do know that one of our greatest forerunners in the theory and practice of political science, Justice Oliver Wendell Holmes, at the age of ninety-three, deemed efforts to improve his mind as worthy of his attention; and, as Mary Beard and I can testify on the basis of a conversation with him two days before his final illness stole upon him, he was still engaged in that quest, happily and sagely, amidst the gathering shadows that ended his earthly inquiries but not his empire over our hearts and minds.

By your grace, I may be permitted a few words of apology for taking so much of your time and for the shortcomings of my discourse. I close not on a note of admonition but of deep curiosity. If my reflections seem wholly meaningless to all visiting firemen now at work on the biggest world conflagration in the history of government, I beg the privilege of asking them where and in whose possession is to be discovered sound ontological and epistemological sense, above and beyond every line of argument?

GEOGRAPHIC AND OTHER SCIENTIFIC TECHNIQUES FOR POLITICAL SCIENCE

S. WHITTEMORE BOGGS
U. S. Department of State

In the times of George Washington and Thomas Jefferson, there were no world problems, and there never had been; nor were any anticipated. But today the range of subject-matter dealt with in international conferences and treaties and by the United Nations, its commissions and the specialized agencies, is almost as all-inclusive as the domestic legislation of any nation, and the problems in some respects are even more complicated. Mankind did not plan it that way. Science and technology have given new meaning to the Chinese proverb, "All people are your relatives; therefore expect troubles from them."

The greatest evils that afflict and threaten mankind spring from political conflict. The lag of the social sciences behind the physical and biological sciences is in part responsible for these unprecedented problems and for two indescribable world wars in a generation. The fear of other's bombs and ideas has led many nations to enter political struggles that had developed into a state of war in distant regions, impoverishing the whole human race and squandering the patrimony of the world's unborn generations. And the fear of more horrendous wars is strongest among those best equipped to wage them.

Present world problems may exist in part only in our minds, because of inconclusive thinking and the attitudes disclosed by the terms one employs in talking about them. "Economic and political warfare" and "measures short of war" are orthodox phrases, and the term "world economy" expresses need and aspiration more than reality. The ancient right of sovereigns to make war upon one another has perdured until our day, being well established in international law—which makes it seem more impressive to speak of "the defenses of peace" rather than "peace" itself in saying that "since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed."[1]

For most people it is very difficult to attain the viewpoint of Christopher Morley that "nothing is more exciting (you can see

[1] Preamble of Constitution of the United Nations Educational, Scientific, and Cultural Organization (UNESCO).

hints and murmurs of it in all sorts of places) than to watch the world getting ready to think ideas quite different from those it is at the moment openly proclaiming."[2] Uncertain of some of its present ideas, the world is apprehensive with regard to any ideas it may be getting ready to think. All of which points to the tragedy that may continue to stalk the stage of human affairs until political thinking and action become sure and constructive.

Men therefore should explore the possibilities of extending to political affairs any benefits that may come from a more scientific approach. In an historical study of science, President Conant recounts the invention of the mercury-column barometer and the improvement in suction pumps in the seventeenth century, which led to the discovery of the compressibility of gas and the fact that a column of air has weight—knowledge that has had revolutionary effect upon human affairs. Thus was displaced, he remarks, the once useful concept that "nature abhors a vacuum." One wonders what current ideas and concepts are also deciduous. President Conant stresses "the influence of new techniques of experimentation" and the "evolution of new concepts from experiment" and notes that "Only the combination of a new concept with facts contradictory to the old ideas finally brings about a scientific revolution. And when once this has taken place, then in a few short years discovery follows upon discovery and the branch of science in question progresses by leaps and bounds."[3]

If mankind is to learn how to reshuffle the political cards fairly, wherever they seem to be stacked against reason and humanity, new techniques of experimentation should be devised which may reveal elusive basic facts of political relations—some of them perhaps as simple as the physical fact of the compressibility of gases—and then concepts should be developed which are adapted to the world of new forces and powers in which we are beginning to live.

II. SCIENTIFIC METHODS AND ACHIEVEMENTS

Scientists are continually expanding the fields of their curiosity and conquest. Developing methods adapted to varying subject-matter, they have made sciences where there were none before. Scientists learn equally from each other's apparent failures and successes. To scientists, a majority vote would mean nothing—

[2] John Bartlett, *Familiar Quotations*, 11th ed., p. vii.

[3] James B. Conant, *On Understanding Science* (New Haven, 1947), pp. 30 and 36–37.

except in analyzing the minds and emotions of the voters, for which purpose the minority vote might be equally significant. They shun confusion over words. Those vague agglomerations of tradition and rationalized folkways known as "ideologies" have no place in their deliberations. Scientists do not withhold from one another their knowledge, techniques, and equipment; nor do they try to wreck each other's laboratories. Why should they, when there is only one universe, one earth-world, one human race, to study? Whatever is learned anywhere is clear gain for all who have caught the spirit of science at its best. Scientists have nothing to hide and nothing to fear from each other. They do not defend their hypotheses like brooding hens their nests. Recognizing no barriers of language, race, or nationality, old ideas and hypotheses are discarded for better ones, with no regrets. Only thus have scientists been able to discover that we live in a dynamic universe in which all of the great forces are as invisible and intangible as the mind itself.

There are no sharp lines of division between the sciences. "Knowledge is one and indivisible." Considering how much of the greatest significance has been discovered by Newton, Einstein, and others of monistic temperament,[4] one is encouraged to begin by trying to see our problems whole, and integrating as much as possible in seeking their solution.

When one turns to the social sciences, it is rather frightening to find that they are about as inexact as were geology and chemistry a century ago. A vast new body of empiric data may be needed if the social sciences, and political science in particular, are to make advances adequate to the imperative needs of our day. The same open-mindedness, the same objectivity, the same distrust of one's own eyes and ears and of contemporary assumptions and attitudes, is attainable in the so-called social sciences, at least by a few—although it is much more difficult than in the physical sciences. It will require the devotion of energy and every resource, especially of young men and women for years, and perhaps the expenditure of a few million dollars to pay expenses, if the tragic lag in political science is to be taken up.

III. SUGGESTED APPROACH IN POLITICAL SCIENCE

The effects of science and technology have been more direct and automatic upon economic and social activities than upon political

[4] See A. d'Abro, *The Decline of Mechanism* [*in Modern Physics*] (New York, 1939), Chap. 13, "Psychological Differences among Physicists."

development. Until recent decades, the interests and activities of the individual and his family were often circumscribed within less than 1/10,000 of one per cent of the earth's surface. Today, the area in which the needs of millions of people are met, and in which events of vital importance to them occur, embraces, for each individual, millions of square miles. The contrast between areas of interest and concern as of a century ago and today, for a particular community and an economic or political function, is frequently comparable to the difference in size of an oyster and an octopus on a four-foot globe.

Political society is unique with reference to space and also time. It is the only society that embraces all human beings who live within given boundaries at a particular time. The citizen or subject has no choice, unless by emigration. Political society is peculiarly geographic in character, and tends to be geographically inflexible. On a political map, it lends itself to simple tinted differentiations between states or provinces, and thus to uncritical, unrealistic assumptions as to similarity of function and of the status of states. It also tends to suggest that international problems can be solved by shifting boundaries—which instead often creates and complicates more problems than those that are ameliorated.

Man is not more stupid in politics than in other matters. But he is bewildered by the political hodge-podge and the lack of understandable facts. There is, for example, no clear-cut differentiation between the functions of town, city, province, nation-state, and other political entities. The area within which a political function or service is exercised or administered has not been adjusted to the revolutionary changes in means of transport and communication, and to industry's voracious ingestion of remote raw materials and its eagerness for distant markets engendered by scientific discoveries and technological developments.[5] The complacent assumption that political decisions should continue to be made at the level at which they are now made, sometimes in disregard of all the rest of the world, does not seem to meet modern political requirements.

The purpose of this paper is to suggest that one of the most fertile concepts that may aid in solving the most baffling political

[5] See Elton Mayo, *The Social Problems of an Industrial Civilization* (Harvard School of Business Administration, 1945) for suggestions for application of the methods of the clinic and the laboratory to social and political problems. "The one method informs and develops the other—simple logic and complex fact, simplified fact and complex logic" (pp. 34–35).

problems of the world may be found in an objective geographical and historical study in which the changing planetary patterns of economic and social activity, influenced as they have been and are by science and invention, are compared with the changing patterns of political activity—necessitating development of new geographical techniques in field observation and historical research, and analysis of the results in new types of maps and diagrams. It is suggested that studies be related largely to the needs, interests, and activities of human beings, viewed against the background of political, economic, and other social organization. This focusing upon the individual and local society, instead of upon the "rights" of large and small nation-states and their administrative subdivisions, is basic. Even in the most authoritarian states, it has been not uncommon practice to try to make the individual believe that the status quo, or any change that is proposed, is really best for him—and this is increasingly true because of radio and easy travel. Certainly a vast body of facts relating primarily to human interests, needs, and activities, gathered on a world-scale, emphasizing relations between human societies and between man and the earth's resources, objectively organized and presented with scientific accuracy and graphic clarity, should enable mankind to think and act much more constructively in the political field.

What have nations, provinces, and towns done in earlier decades and centuries for human beings individually and collectively, and what do they do today—in the historical context of changing technologies? The functions of city, provincial, and national governments which are most universally recognized are the maintenance of public order and the protection of the rights of property. But the agenda of governments today include such varied items as technical assistance to farmers, protection of fisheries, public education at all levels, unemployment insurance, old-age pensions, family allowances, and regulation of all forms of contact with other parts of the world, including passports, imports and exports, shipping, air transport, labor, health, and sanitation. By international agreement and minimum machinery, governments perform functions, such as coöperative letter-carrying, which are of direct service to individuals everywhere. In general, it would appear, throughout all history in all parts of the world, that those in seats of political power are inclined to do anything and everything that may extend their tenure of political power.

(1) *World-wide studies.* The first recommendation of a geographical nature is that political science deliberately embrace the whole human race and as much of history as may yield relevant data. The political literature of Europe and America derives from Plato, Aristotle, Machiavelli, Hobbes, Locke, and more recent political theorists. But mention is seldom made of Asia and Africa and the islands of the seas. The study of man as a political and social animal should be as wide as the world. How have men managed their affairs, in the interest of the entire community (or of those who speak in its name), in regions in which Aristotle's influence is unknown? Unless we encompass the experience of peoples with very different backgrounds, how can we be certain that what we regard as political forces are not merely ideas within our own heads?[6]

China, for example, provides an almost untilled field of political literature which, it has been observed, is fabulously rich. Extending over more than 2,000 years, especially during the Han, the T'ang, the Sung, the Ming, and the Ch'ing dynasties, there is "a vast body of political thought, experimentation, and experience."[7] Civil service examinations, scholar-officials, and a political hierarchy characterized the political genius of governments that survived into the twentieth century. Adaptation of political structure to large area and varied geographic environment and to communication and transportation limitations seems to have been achieved with a surprisingly small bureaucracy and police authority of central government. The unity of a great culture molded and cemented the lives of families and communities. Concepts of mutual obligations were inculcated which embraced all human relationships, linking ancestors and posterity, and ideally all of civilized mankind, in a sense of the will of Heaven, which contributed to social stability more than could any emphasis upon individual rights. China also affords a unique field because modern technology has touched large areas very little and others very much, while political functioning under the Ch'ing is a matter of memory of living persons.

India is unique, with widely divergent cultures and many languages, and numerous kingdoms and principalities, constituting an exceptional clinical laboratory of social and political behavior. Cultural anthropology offers valuable studies of primitive peoples,

[6] See Emery Neff, *The Poetry of History* (New York, 1947), p. 212.

[7] See Kenneth Scott Latourette, *The Chinese: Their History and Culture* (2nd ed. rev., 1934), espec. Vol. II, Chap. 14.

some of which have been made in the spirit and manner of science at its best.

(2) *Area limitations of each political function or each human activity.* The second suggestion is that, with reference to each human activity or each political function, the area limitations of that activity or that function be studied at different dates. For example, area limitations in public health functioning, in city, province, nation, and the world, seem worthy of study in relation to changing means of travel and sources of food supply, and rapidly increasing knowledge of diseases and their control and of nutrition, genetics, and other subjects. In the control of epidemics and other matters of health, the pattern has greatly changed from the time of Mosaic injunctions to the regulation of Moslem pilgrims for several centuries, the unsuccessful nineteenth-century attempts to negotiate an international sanitary convention before germs were discovered, the international sanitary conventions beginning in 1903, and the Pan American Sanitary Code of 1924, to the World Health Organization. Quarantine and sanitary measures are applied to persons, and to seaports and airports, vessels and aircraft, baggage and merchandise, to prevent the spread of disease along the highways of international maritime and aërial navigation. In addition to the present five "convention diseases" (cholera, plague, typhus, yellow fever, and smallpox), international effort is being given to tuberculosis, malaria, venereal diseases, influenza, infant mortality, cancer, and to international standards for certain vitamins, vaccines, penicillins, streptomycin, and blood-grouping sera, and standards for an International Pharmacopoeia.[8]

(3) *Viewpoints of the individual and of governments.* The third suggestion is that, wherever feasible, each political function for each selected date be studied from the following two viewpoints: (a) with reference to the individual in society, to the family, and to small groups of people with whom the individual is intimately associated, as in "town-meeting" and the voluntary associations of which the individual is a member, including those in which he works; and (b) with reference to government, in large and small political entities, and the study of selected functions of each—the area within which it has operated at different dates, and so far as

[8] See Department of State *Bulletin*, May 18, 1947, pp. 971 ff.; Nov. 16, 1947, pp. 953 ff.

feasible the variations in effectiveness under different technological conditions.

The individual in society. In studying the activities, the needs, and the interests of the individual human being, in the society in which he lives, one deals for the most part with tangible and concrete facts that are germane to community, and therefore political, concern. The investigator who seeks to understand and to map the area limitations of interests and activities of a local society, whether in Virginia, Yunnan, Guatemala, or the Sudan, as of several decades or centuries ago and again today, can scarcely come to grips with his problem without first-hand acquaintance with the area and its people. He must take into account all that men regard as relevant to their happiness and well-being, all that men do and want to do, their most remote contacts, and the effect upon men's activities of community or political facilitation or restraint. When he seeks to understand why men do what they do, and why they think something is good or bad, he may need the help of anthropologists and others; but the investigator's own preconceptions must be rigorously excluded in these as well as all other matters if his work is to have scientific value.

Since there is no norm by which to measure different societies, the past and present limitations of human activities, aspirations, and loyalties afford no safe criteria for the future. The human desire to be useful but not to be used is often manifest in an eagerness to be of service to one's community or state or to all mankind. That desire and the opportunities and the restrictions placed by political societies upon such service belong within the purview of the most objective studies.

The range and effectiveness of government authority and service. The distance at which a function of government may be exercised and its authority and services made effective varies with the function concerned, with tradition, with technological conditions, and in some instances with the delegation of authority to government itself. The effects of railroads, the telegraph, telephone, airplanes, radio and other electronic devices, and of military weapons have been so extraordinary that governments that are inclined to oppose one another today are more like one another in important respects than they are like their own predecessors of a century or more ago. The range and method of operations of all governments of large

territories, and the attitude of government officials toward peoples in distant parts of the nation, have been transformed.

A study of colonial administrations, including changes from the days of sailing ships to the radiotelephone and the airplane, may be enlightening in bringing into the picture the expanding areas of interest and concern of many peoples, and great changes in their economic and social relationships that have occurred in recent decades.

The efficacy of sovereign authority is attested by the application of complicated restrictions at national frontiers which sometimes constitute obstacles more formidable to traffic in goods and ideas than are the Alps to engineering skills. Some of the many invisible walls and curtains can and should be mapped, although it is very difficult to do so.

Centralization of authority is a natural trend under modern conditions—at least it seems natural to the one who has the authority. It is easy to make one's wishes or orders known instantly, and to require a prompt report. The dangers of "remote control," which tends to become the pattern in both political and military action, are therefore a matter of ever-increasing concern to the citizen or subject. A district or territorial officer who, before the telegraph, was of necessity allowed discretion now frequently finds that the decisions are made and orders given from a distant capital city, sometimes by a junior desk officer without full comprehension of the situation.[9] David Lilienthal, in his *TVA—Democracy on the March*, decries the evils that "are inherent in the over-centralized administration of huge enterprise, because it ignores the nature of man" (p. 149). He describes the workings of the TVA, a regional "corporation clothed with the power of government but possessed of the flexibility and initiative of a private enterprise" (quoting the words of President Roosevelt, p. 47), and urges "the advantages of the *decentralized administration of centralized authority*" (p. 142), stressing the dangers of centralization which "always glorifies the importance of pieces of paper" and "dims the sense of reality" (p. 144).

The choice between centralization and decentralization, in rela-

[9] For example, a New Mexico cattle-grower, in OPA days, wrote to Washington asking permission, as he was required to do, to slaughter about 110 steers for market; he was advised that he must keep fifty for breeding purposes!

tion to many specific functions and services,[10] is at the core of the problems of political science. It is rapidly acquiring added significance, in part because of two rather conflicting tendencies which are manifest in every continent: (1) the desire for local autonomy, and (2) the desire for national unity. World unity is needed and is desired by many—further augmenting the significance of decentralization. Adaptation of political functioning to local and regional physical and cultural differences will be increasingly important as centralization becomes temptingly easier, and as new technical functions such as telecommunications and international civil aviation come to be coördinated and supervised on a planetary scale from sheer necessity, however reluctantly nations may consent to the arrangements. The potentialities of human and physical resources can never be fully realized unless local communities make their peculiar contributions to world economy and world society. Moreover, adaptation to geographic variations is important: military operations painstakingly take account of differences of terrain, jungle, desert, climate, attitudes of peoples, resources, transport, communications, and every conceivable factor affecting their success. Can political science ignore these fundamental geographic factors? When new hypotheses in political science are developed on the basis of new facts and new techniques, geographers must be prepared to give special assistance in the delineation of regions for specific political functions, consonant with field studies and the analysis of all available data.

Science alone cannot solve the world's political problems. The sense of values is not derived from science, nor can any large political system work effectively without men and women of integrity and great character. But science and technology may provide the indispensable means of solving many of the physical and some of the psychological problems that have come to complicate world political relations (many of which they have created or have aggravated). In this discouraging moment, however, it seems that for the first time in all history mankind may already possess the means of achieving a great, integrated world-wide political society

[10] An example of a concrete study of a specific problem is the Conference on Local Government Units with Special Reference to Highways, held in New York City, April 28 and 29, 1933, under the auspices of the Social Science Research Council. The chairman was Dr. Luther Gulick, director of the Institute of Public Administration.

of free individuals, intelligently practicing coöperation in preference to a rather ragged individualism—a flexible and experimental society adjusted to the most diverse local variations of environment and culture.

IV. SUGGESTED GEOGRAPHICAL AND GRAPHIC TECHNIQUES

If these changing space relations of human activities are to be adequately studied, together with the ways in which states influence them, new types of maps and cartograms must be evolved. And if comparisons of changing space relations are to be visualized as between different geographical areas, it will be necessary to schematize some of the mappable data in such manner that one may, in effect, superpose one map upon another, or many maps upon each other, and thus perceive the changing space or geographic factors in their broad aspects. Some of these should become new tools for use in political science[11] and political geography.

Symbols and other conventions should be developed that are especially adapted to the subject-matter and to ready comprehension by the layman as well as the political or social scientist. Those presented herewith are preliminary and experimental. A group of geographers and cartographers might well be designated to study and report on the subject.[12] The maps and diagrams will range from microgeographic to planetary. Therefore one of the first things to be strikingly depicted is the scale of the map.

Where relationships on two or more maps are to be superposed for comparison, the individual or any small group, and the effects of state action upon the everyday relationships, may be represented by conventional devices such as those suggested in Figure 1. In many instances, a skilfully schematized map, with much simplified continental and national outlines, facilitates visualization of what happens at boundaries.

On the next diagram (Figure 2) the squares, are proportional to continental areas, and the circles are proportional to the popula-

[11] See John D. Millett, "The Use of Visual Aids in Political Science Teaching," in this REVIEW, Vol. 41 (June, 1947), pp. 517–527. Millett says: "Everyday relationships are far more numerous and important than the official channels illustrated in the customary chart"; and "we need more experimentation."

[12] See the symbols developed in connection with German "geopolitics" in Derwent Whittlesey, *German Strategy of World Conquest* (New York, 1942), pp. 130–139. None of these may be useful in themselves, but some of them may suggest effective and appropriate symbols for the present purposes.

tions of countries. The need of a special study of Europe is suggested by this geo-diagram, the economic, social, and political geographical patterns of a century ago to be compared with those of,

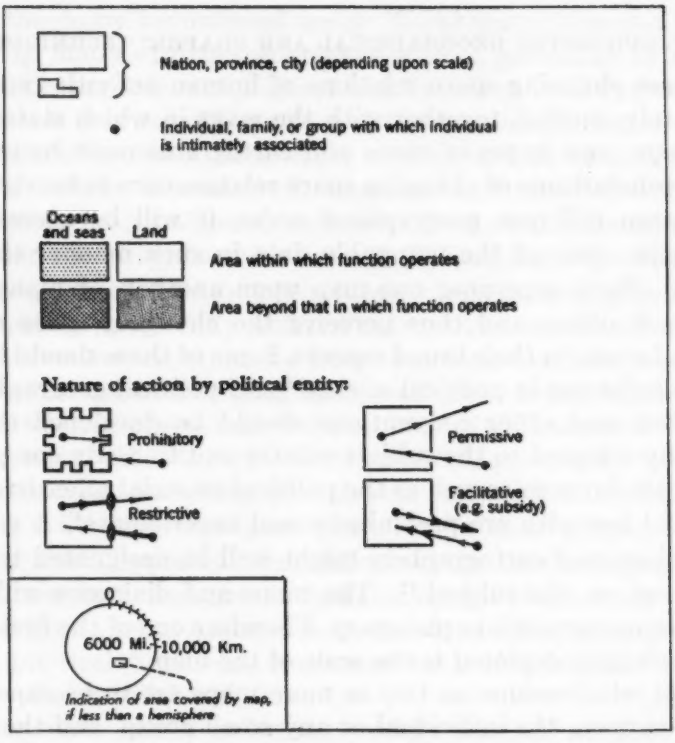
Nation, province, city (depending upon scale)
Individual, family, or group with which individual is intimately associated
Oceans and seas
Land
Area within which function operates
Area beyond that in which function operates
Nature of action by political entity:
Prohibitory
Restrictive
Permissive
Facilitative (e.g. subsidy)
0
6000 Mi.-10,000 Km.
Indication of area covered by map, if less than a hemisphere

FIG. 1. Some symbols and conventions for political maps and cartograms. These symbols and graphic devices are suggested for experimental purposes. The boundaries are conventionally straightened, at least where crossed by lines representing any kind of human need or interest. The nature of the action by the political state is here symbolically represented in four categories: (1) *prohibitory*, where nothing crosses the boundary legally; (2) *restrictive*, indicated by a thickening of the boundary line where crossed by a line of non-political activity, and by lightening the line after it crosses the frontier; (3) *permissive*, the lines traversing the boundary as if it did not exist; and (4) *facilitative*, the boundary itself taking the form of a heavy arrowhead, as if the boundary facilitated the crossing. The circle in the inset in the lower left corner represents a hemisphere, on which is indicated the area of the main map to which it is related; this device visually coördinates maps on widely differing scales.

say, 1900 and today. It would help to show how Europe, as the continent with the greatest natural advantages of location, configuration, climate, and resources, which was exceptionally prosper-

ous for many decades, and which has been devastated by wars waged on the basis of pseudo-scientific ideas, is suffering tragically from the disparity between the highly restrictive political and economic patterns on the one hand and the broad pattern of human interests and needs on the other. If a similar political-economic

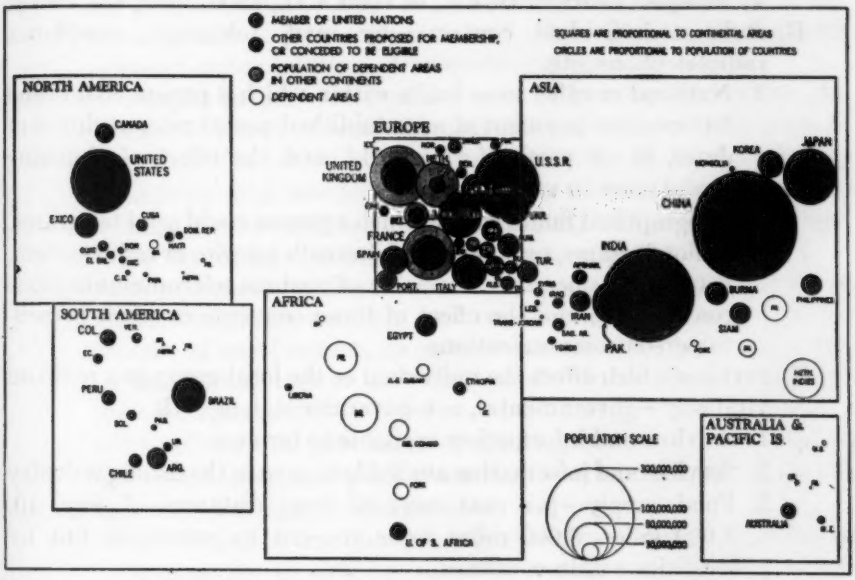

FIG. 2. Sovereign states; number and population. A simple world diagram like this aids in understanding factors not readily perceived on a conventional map or cartogram. The areas of the continents are represented by the squares, and the populations of countries by the circles. The dependent areas are schematically depicted, in Africa for example, by hollow circles; their populations are represented by shaded rings around the solid population circles of the governing countries. For a different type of graphic treatment of somewhat similar data, see the diagram "Division of the Continents into National Compartments," in the author's *International Boundaries; A Study of Boundary Functions and Problems* (New York, 1940), p. 15.

pattern were imposed upon the United States, the effect would obviously be disastrous.

Lest these proposals seem too vague, some specific types of studies are suggested below.

I. With reference to individuals, families, local groups of people who know each other (always including studies as of different dates, if feasible, and considering pertinent geographic factors and the relative influence of governmental and non-governmental organizations);

A. Relating to direct personal contacts
   1. Number of persons who have traveled more than 10, 100, or 1,000 miles from home, or around the world
   2. Number of persons who have attended educational institutions in foreign countries, using a foreign language
   3. Number of persons engaged in migratory labor
   4. Passport restrictions, e.g., in 1600 A.D., 1800, 1900, and today.

B. Indirect individual contacts—by mail, telegraph, telephone, radiotelephone, etc.
   1. National or other area limits within which a person could send letters upon payment of an established postal rate, at different dates, in all parts of the world, and the effect of changing postal rates on volume of mail
   2. Geographical limits within which a person could send telegrams, radiotelegrams, or make telephone calls by wire or radio system, before and since the conclusion of various telecommunications conventions, and the effect of those conventions upon person-to-person communications

C. Services which affect the individual or the local group in a real and vital way—governmental, non-governmental, or both
   1. Services and information available to farmers
   2. Services and information available to men in the fishing industry
   3. Food supply—per cent received from distances of, say, 10, 1,000 miles, 5,000 miles, or more—not by countries, but by localities within countries
   4. Clothing supply
   5. Health (including public health services), nutrition, water supply, milk supply, pure food, drugs of all sorts
   6. Education
   7. Labor and employment
   8. Recreation facilities

D. Obligations and duties of the individual to government and to non-governmental organizations
   1. Military service and other obligations in time of war
   2. Taxes
   3. Other established obligations which relate to the functioning of society in times of peace

E. Group and community interests and needs in relation to distant areas, in different parts of the world at different dates
   1. Sources of supply of materials used in local trades and industries
   2. Important markets for products of local trades and industries

II. With reference to government, the area or region within which it operates or formerly operated

A. In relation to each function, variations in effectiveness of the exercise of authority, at different dates and in relation to contemporary means of communication and transportation and other technological developments
B. In relation to each function, the degree of centralization or decentralization of the administration, and the results as they affect the local community and the individual. Also the amount of discretion given to local governors and other officials, varying with means of communication, transportation, etc.
C. In relation to individual employment in government service, the manner of selection, and the centralization or regionalization of operation. This study might include, for example, the preparation of maps showing the countries or areas in which civil service examinations were conducted in the years, say, 500 A.D., 1600, and today (including colonial areas and the local populations)
D. With reference to governments, also, those matters in which two or more countries associate with one another, as by treaty, in the exercise of any function, as in telecommunications, aviation, public health, and any of the many other subjects of current international agreement[13]
E. With reference to governments, also, consideration of the relation of non-government organizations involved, and whether the latter operate in a smaller or a larger area
    1. In matters of trade, whether government restricts, imposes no limitations, or aids by subsidy or otherwise. Nothing in economic and political affairs is much if any more complicated than trade and trade restrictions, but it would be helpful if some well-chosen products were geographically analyzed and the actual cost and complication of crossing a given boundary in a given direction at a given date indicated, and comparison made with a different date
    2. In matters of publication, copyright, and tariff and other restrictions, studies might be made at selected dates and for certain areas

Some of these suggested studies may seem so simple and the facts so obvious as to deserve no serious endeavor. But the ratios of differences are so extremely divergent, and the local variations so extraordinary, that their significance cannot be perceived without quantitative and graphic studies. A great deal of patient, pedes-

[13] Multilateral treaties might well be studied geographically, with geo-diagrams combining studies of many treaties. If n countries sign one multilateral treaty, its contractual arrangements are equal to $n(n-1)/2$ bilateral treaties.

trian study would be required, comprising an historical series for selected areas, comparing political and non-political activities with reference to specific human interests, together with a generalized series relating to the world as a whole.

One may conceive of a world atlas of human relations—social, cultural, economic, and historical, the political factor being emphasized with reference to the interests, needs, and activities of human beings throughout the whole world. The maps and diagrams would be original, informative, and interesting in the highest degree, and useful to people of the most diverse backgrounds and outlook.[14]

It has been remarked that "ideologies divide; projects unite." It does not require a doctor's degree in geography for geographers, political scientists, historians, economists, anthropologists, and others who may be interested, to tackle projects like these, many of them international in scope. But perhaps here lurk potential subjects for a thousand dissertations, in many countries. Both field work and historical research would be required. The evolving techniques may be as important as the data obtained if they help to develop political science relatively rapidly as a science.

Mankind, Inc., if there were such a corporation, might be expected to go about the job of analyzing some of its major problems in this matter-of-fact manner, as engineers tackle assignments, not on the basis of tradition alone, but on what can be achieved with imagination, utilizing the latest available materials, techniques, and skills. Some such approach is necessary if the alternative for mankind is, as it seems to be, either to integrate or to disintegrate. And as Toynbee has said: "The divine spark of creative power is instinct in ourselves; and if we have the grace to kindle it into flame, then the stars in their courses cannot defeat our efforts to attain the goal of human endeavours."[15]

[14] There appears to be real need of a cartographic staff and laboratory to conduct experiments in devising new types of maps, more effective means of presenting data on maps adapted to comprehension by laymen, and means to facilitate the compilation and drafting of maps and cartograms without starting from scratch in most cases and without unnecessary copyright difficulties. Such developments are especially to be desired in relation to the whole field of the social sciences.

[15] Arnold J. Toynbee, *A Study of History* (London, 1934–39), Vol. IV, p. 39.

AMERICAN GOVERNMENT AND POLITICS

THE FEDERAL REGULATION OF LOBBYING ACT

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Although the need for such action had long been apparent in Washington, it was not until 1946 that a federal statute was enacted for the regulation of general lobbying activities. Prior to that year, Congress had, on a number of occasions, investigated lobbying practices, and as a result had enacted measures which reached a limited number of groups engaged in them. The Public Utility Holding Company Act of 1935, the congressional act in 1936 affecting the shipping interests, and the Foreign Agents Registration Act of 1938 were important regulatory measures, but they reached only a few of the groups exerting direct and continuous influence in Washington. The Federal Regulation of Lobbying Act of August 2, 1946, is more general in its coverage; and it has been in force long enough for its effectiveness to be tested.

In this article, it is my purpose (1) to supply a brief historical background for the measure referred to; (2) to examine the statute's provisions; (3) to appraise the objections raised to it; (4) to examine the actual administration of the act and point out the difficulties of enforcement, particularly during its first year; and (5) to offer recommendations for strengthening the law.

I. HISTORICAL BACKGROUND

Bills to regulate lobbying appeared in Congress as early as 1907 and were introduced from time to time thereafter. In 1928, Senator Thaddeus H. Caraway of Arkansas introduced a bill which only the Senate passed.[1] In defending his measure, the Senator pointed out that there were between 300 and 400 "alleged associations" listed in the Washington telephone directory,

> ". . . 90 per cent of which . . . are fake associations organized for the sole purpose of profit for those who are at Washington, [and] are engaged in obtaining money from those who live away from Washington under the belief that they are promoting some theory of government in which they are interested, or protecting or advancing the interests of some business in which they are engaged. Ninety-five dollars out of every hundred that the public pays to these alleged associations go into the pockets of the promoters of these fake associations. It might be safely said outside of a dozen there is not a penny paid to these associations that is not worse than wasted. . . . "[2]

[1] S. 1095, 70th Cong., 1st Sess.
[2] Senate Report 342, 70th Cong., 1st Sess., 1928, pp. 2, 3.

In 1935, the excesses of the utility lobbies attracted nation-wide attention. Of their activities, the House Rules Committee said on February 27, 1936: " . . . the campaign to influence utility holding company legislation was probably as comprehensive, as well managed, as persistent, and as well financed as any in the history of the country.[3] As a result of this publicity, bills to regulate lobbying poured into the Seventy-fourth Congress. Senate bill 2512, sponsored by Hugo L. Black of Alabama, and H. R. 11663, introduced by Howard W. Smith of Virginia, passed their respective houses, but their wide divergence, although bridged by the conferees, did not meet with congressional approval, and they failed to become law.[4]

However, Congress was determined that the utilities should not escape regulation, irrespective of the fate of the general lobbying bill. It therefore wrote into the Public Utility Holding Company Act of 1935, not only the provision that utilities should not contribute to party campaign funds, but the additional stipulation making it

" . . . unlawful for any person employed or retained by any registered holding company, or any subsidiary company thereof, to present, advocate, or oppose any matter affecting any registered holding company or any subsidiary company thereof, before the Congress or any member of committee thereof, or before the Commission [Securities and Exchange] or Federal Power Commission, or any member, officer, or employee of either such Commission, unless such person shall file with the Commission in such form and detail and at such time as the Commission shall, by rules and regulations or order prescribe as necessary or appropriate in the public interest or for the protection of investors or consumers, a statement of the subject-matter in respect of which such person is retained or employed, the nature and character of such retainer or employment, and the amount of compensation received or to be received by such person, directly or indirectly, in connection therewith."[5]

The law further requires that financial statements be filed with the Commission "within ten days after the close of each calendar month during such retainer or employment."[5]

Encouraged by its success in passing this legislation concerning the public utility holding companies, Congress turned its attention the following year to the lobbies of the shipbuilders and ship operators; and in 1936 a statute similarly regulated these pressure interests through registration with the United States Maritime Commission.[6]

With war clouds hanging over Europe, and activity of foreign agents on

[3] House Report 2081, 74th Cong., 2nd Sess, p. 3. An earlier investigation of lobbying practices in which the National Association of Manufacturers figured prominently occurred in 1913. Cf. House Report 113, 63rd Cong., 2nd Sess.

[4] House Report 2925, June 2, 1936.

[5] U. S. Code, 1940, title 15, ch. 2C, secs. 79(h) and 79(i). See also Forms U-12(1)—A and B of the Securities and Exchange Commission.

[6] See U. S. Code, title 46, sec. 1225; U. S. Maritime Commission General Order No. 9, July 13, 1937; and Forms 807-1 and 807-2, together with accompanying instructions for such forms.

the propaganda front intensified, Congress took a protective step in 1938 by passing the first Foreign Agents Registration Act (amended in 1942), requiring that every person who is an agent of a foreign principal shall file with the Secretary of State a statement describing in detail the nature of his activities. The law provided also that political propaganda disseminated by such agents shall be so labeled and copies of such matter filed with the Librarian of Congress and the Attorney-General. Under an executive order, effective June 1, 1942, President Roosevelt transferred to the Department of Justice the administration of registering foreign agents. Registration statements, open to public inspection, had thereafter to be filed with the Attorney-General every six months, and a copy of each registration statement had to be furnished the Secretary of State. It should be particularly noted that the Attorney-General was required also to make reports from "time to time" to Congress concerning the administration of the act.[7]

In reporting the special areas of lobbying activity upon which Congress has acted, it is perhaps well to include the amendment to the Criminal Code in 1940. This forbade anyone to endeavor: " . . . corruptly or by threats of force, or by any threatening letter or communication . . . to influence, intimidate, or impede any witness . . . in connection with any inquiry or investigation being had by either House, or any committee of either House, or any joint committee of the Congress of the United States . . . " or by such methods to attempt to interfere with the proper administration of law or proceedings of inquiries. The above language appears sufficiently broad to cover the "influence" exerted by lobbyists upon Congress.[8]

In studying the problem of lobbying regulation at the federal level, much can be learned from the experience of the states, thirty-five of which regulate lobbying in some way.[9] Of the thirty-five, twenty-five now provide for the registration of legislative agents and legislative counsel employed in such capacity for compensation. The secretary of state is the officer

[7] U. S. Code, title 22, secs. 611–621; Executive Order No. 9176, *Federal Register*, Vol. 7, June, 1942, p. 4127. See Report of Attorney-General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938 as amended for the period from June 28, 1942, to December 31, 1944 (June, 1945). Also Karl E. Ettinger, "Foreign Propaganda in America," *Public Opinion Quarterly*, Vol. 10 (Fall, 1946), pp. 329–342.

[8] U. S. Code, title 18, sec. 241a, approved January 13, 1940.

[9] A fuller story of the state lobby laws has been told elsewhere. See especially E. B. Logan, "Lobbying," *Supplement to the Annals of the American Academy of Political and Social Science*, July, 1929; Belle Zeller, "State Regulation of Lobbying," in *The Book of the States, 1948–49*, pp. 124–130; Belle Zeller, *Pressure Politics in New York* (1937), pp. 251–262, for detailed examination of the administration of the New York State lobbying law.

with whom the statements are customarily filed. The required information usually includes the name and address of such agents, by whom employed, date of employment, duration of employment if it can be determined, and the special subject of legislation to which the employment relates. Seventeen of the twenty-five states also require the filing of statements of all expenses paid, incurred, or promised in connection with the promotion of legislation; thirteen require that these expense statements be filed within thirty days after the adjournment of the legislature, and two within two months after. In 1945, both Nebraska and Wisconsin amended their statutes to provide for the filing of expense statements during the legislative session.

These state lobbying provisions have at least established the principle that the public has a right to know who are the paid lobbyists and what is the source of their funds. It must be said, however, that the record of lobby control in most states reveals that it has not been as effective as it should be, because faulty definition has failed to include the pressure groups as well as their paid agents, and because of inadequate enforcement.

The year 1946 seemed propitious for the enactment of a general federal lobbying law. For one thing, the first year after the cessation of the war witnessed an unprecedented amount of lobbying in connection with many controversial questions before Congress—particularly veterans' housing, price control, public power projects, and strikes. President Truman inserted in the prepared text of his Jackson Day address on March 23, 1946, a declaration that "my friends in Congress have got to make up their minds whether they're for the veterans' rights or whether they are going to bow to the real estate lobby."[10] Senator Murray of Montana called attention to a "small ruling clique in the American Medical Association" which is trying to defeat "the Administration plan for Congressional health insurance."[11]

Earlier, on March 11, 1946, Speaker Rayburn had called attention to lobbying activity in another area, when he stated from the floor of the House that "this town, for the past six months, has been seething with lobbyists" out to kill rural electrification and public-owned power in general.[12] The next day Chairman Sabath of the Rules Committee offered a resolution proposing that a special committee be established to investigate "any and all groups which have or are engaged in present propaganda campaigns or lobby to defeat legislative measures for the relief of the acute housing shortage . . . to abolish or weaken price control; all

[10] *New York Times*, Mar. 24, 1946.

[11] F. M. Brewer, "Congressional Lobbying," *Editorial Research Reports*, Vol. 1, No. 18 (May 8, 1946), p. 320.

[12] *Cong. Rec.*, Vol. 92, p. 2156.

groups which have or are engaged in the power lobby." This resolution was revised by the Rules Committee, directing that the investigation be made by the Rules Committee itself, and that lobbying activities by federal agencies and employees as well as by private groups be covered.[13]

Even before these and other attacks upon lobbying activities in 1946, the Special Joint Committee on the Organization of Congress was giving its attention to the need for a congressional lobbying law. In fact, the Committee on Congress of the American Political Science Association, under the chairmanship of Dr. George B. Galloway, who later was named research staff director of the Joint Congressional Committee, had recommended in 1945 "that all groups, representatives of which appear before congressional committees, should register and make full disclosure of their membership, finances, etc."[14]

Many complaints of the attempts of organized pressure groups to influence the decisions of Congress were heard during the hearings of the Joint Committee on the Organization of Congress, although extensive evidence on the need for lobbying legislation was not given at these hearings.[15] In its report to Congress on March 4, 1946, the Joint Committee recommended "that Congress enact legislation providing for the registration of organized groups and their agents who seek to influence legislation, and that such legislation include quarterly statements of expenditures made for this purpose."[16] On August 2, 1946, the President signed the Legislative Reorganization Act, Title III of which is the "Regulation of Lobbying Act."[17]

II. PROVISIONS AND INTERPRETATION OF THE LOBBYING TITLE

Provisions of the Federal Regulation of Lobbying Act are set down in sections 302–311 inclusive. Section 307 is designed to define the application of the title and includes any person (defined as an individual, partnership, committee, association, corporation, and any other organization or group of persons) "who by himself, or through any agent or employee or

[13] This resolution, H. Res. 557, and another similar in purpose, H. Res. 416, introduced earlier by Representative Smith of Maine, did not pass.

[14] *The Reorganization of Congress;* A Report of the Committee on Congress of the American Political Science Association (1945), p. 80.

[15] Hearings before the Joint Committee on the Organization of Congress, 4 parts, 79th Cong., 1st Sess., March 13, 1945, to June 29, 1945. See especially helpful comments of George H. E. Smith, research assistant to the Senate minority leader at page 411 of these hearings. After the close of the hearings, the writer submitted to the Joint Committee, upon request, a memorandum on the subject of "Federal Regulation of Lobbies." For the text of this memorandum, see Print of Joint Committee on the Organization of Congress, June, 1946, pp. 65–69, and George B. Galloway, *Congress at the Crossroads* (1946), pp. 302–307.

[16] Senate Report 1011, 79th Cong., 2nd Sess, p. 27.

[17] Public Law 601 (Senate Bill 2177), 79th Cong., 2nd Sess.

other persons in any manner whatsoever, directly or indirectly, solicits, collects, or receives money or any other thing of value to be used *principally to aid, or the principal purpose of which person is to aid,* in the accomplishment of any of the following purposes: (a) The passage or defeat of any legislation by the Congress of the United States. (b) To influence, directly or indirectly, the passage or defeat of any legislation by the Congress of the United States." (Italics mine)

Section 305 states that every person receiving any contributions or expenditures for the purposes designated in (a) or (b) of section 307, shall file with the clerk of the House of Representatives only, between the first and the tenth day of each calendar quarter, a statement containing the name and address of each person who has made a contribution of $500 or more, and the name and address of each person to whom an expenditure of $10 or more has been made, with the amount, date, and purpose of such expenditure. The clerk of the House supplies Form A for the information required under this section.

In section 308, the act requires any person who engages himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation to register both with the clerk of the House and the secretary of the Senate "before doing anything in furtherance of such object." The registrant must state his name and business address, the name and address of the person by whom he is employed and in whose interest he appears or works, the duration of such employment, how much he is paid and to receive, by whom he is paid or is to be paid, how much he is to have for expenses, and what expenses are to be included. Form B is supplied by the clerk and the secretary for this information.

Each person who registers in accordance with section 308 between the first and tenth day of each calendar quarter, must also file with the clerk and the secretary, so long as his activities continue, a detailed report "of all money received and expended by him during the preceding quarter calendar in carrying on his work; to whom paid; for what purpose; and the names of any papers, periodicals, magazines, or other publications in which he has caused to be published any articles or editorials; and the proposed legislation he is employed to support or oppose." Successive reports within a calendar year must be cumulative. This information is filed on Form C. All reports and statements under the lobbying act must be made under oath (section 309).

All information required to be filed under the provisions of section 308 is to be compiled by the clerk and the secretary, acting jointly, as soon as practicable after the close of the calendar quarter, and printed in the *Congressional Record.* The statements required by the title are to be preserved for a period of two years, and to be open to public inspection during this interval (section 306). Any person who violates the provisions of this

title, upon conviction, is guilty of a misdemeanor and may be punished by a fine of not more than $5,000 and/or imprisonment for not more than twelve months. Such convicted person is also debarred for a period of three years from influencing, directly or indirectly, the passage or defeat of legislation. Debarred lobbyists who continue their activities are guilty of a felony (section 310).

In section 308, the act further specifically exempts from its application (1) any person who merely appears before a committee of Congress in support of or opposition to legislation; (2) any public official acting in his official capacity; (3) any owner, publisher, or employee of a newspaper or other regularly published periodical acting in the regular course of business. Nor does the act apply to party committees or to practices and activities regulated by the Federal Corrupt Practices Act (sections 307 and 311). The Report of the Joint Committee on the Organization of Congress adds further that the lobbying title does not apply in any manner to persons who appear voluntarily without compensation, and concludes the category of exempt groups by stating that the law "does not apply to organizations formed for other purposes whose efforts to influence legislation are merely incidental to the purposes for which formed."[18] An examination of the remarks of Representative Howard W. Smith on the floor of Congress, June 17, 1936, indicates that the Joint Committee took over the Congressman's exact words in noting this last exception.[19]

Many organizations have turned to this last statement in the Committee's report for clarification of legislative intent, and for an explanation of the words "principally" and "principal" in section 307. Their failure to comply with the provisions of sections 305 and 307 is based largely upon defining "principal" as "primary" or "major." There is little doubt that a literal reading of the provisions of the lobbying title presents a mass of contradictions and ambiguities. As a criminal statute, it is technically defective because such statutes are construed strictly and must define prohibited acts with certainty.[20]

The Joint Committee on the Organization of Congress stated that section 307 defines the application of the title.[21] Section 307, then, may be construed as conflicting with sections 305 and 308. As noted above, section 307 refers to anyone who solicits, collects, or receives money; section 305, however, is not limited merely to those who receive contributions, but

[18] Senate Report No. 1400, 79th Cong., 2nd Sess., May 31, 1946, p. 27.

[19] *Cong. Rec.*, Vol. 80, p. 9751.

[20] Screws v. United States, 325 U. S. 91, at p. 136: "It is axiomatic, of course, that a criminal statute must give a clear and unmistakable warning as to the acts which will subject one to criminal punishment. And courts are without power to supply that which Congress has left vague."

[21] Senate Report No. 1400, 79th Cong., 2nd Sess., p. 28.

includes persons who *expend* money for such purposes. Does this mean, if section 307 controls, that that part of section 305 dealing with expenditures is superfluous? There are organizations which hold that they do not solicit or receive funds for the *principal* purpose of lobbying, but who nevertheless expend money in hiring professional lobbyists. The implementation of the act, during the first year, clearly demonstrated that many organizations are holding section 307 the key to the coverage of the act, thus exempting from the strongest provisions of the act organizations whose legislative activities are not their *principal* concern, and who are careful not to accept funds earmarked for lobbying.

The relationship of sections 307 and 308 is ambiguous. By its terms, section 308 appears to exclude the definitions of section 307. Section 308 covers engagements "for the purpose of attempting to influence the passage or defeat of any legislation." Many persons who have registered under this section call attention to the minor proportions of their time devoted to influencing legislation. In so doing, they are undoubtedly following the interpretation that section 308 does not stand alone, that section 307 qualifies this section as well, and that influencing legislation must be their "principal" activity before registration is required. However, section 308 should be construed as bringing within its scope persons paid for performing services if any part of that job—no matter how infinitesimal—is concerned with influencing legislation. To support this position, it is not necessary to go further than to point out that section 308 exempts from registration public officials acting in their official capacity. Except for a very small group of legislative representatives of public agencies, no reasonable interpretation could consider public officials as *principally* engaged in influencing legislation.[22]

The legislative history of the bill does not establish beyond any doubt the intention or the aim of Congress. Representative Dirksen, a member of the Joint Committee on the Organization of Congress, stated on the floor of the House when the lobbying section was under debate:

> "The question has been raised as to whether or not an organization that pays a man to be vigilant upon legislation here would have to schedule all of their assets and all of their receipts, and probably file a very long administrative record with the clerk of the House. That is certainly not the intention of the committee. There are some clarifying sections and some exclusions which you will find in section 308. . . . What we are trying to do here is to reach those whose principal purpose, not incidental purpose, but whose principal purpose is to come here and endeavor to influence the passage of legislation either by bringing about its defeat or its enactment."[23]

[22] For an examination and interpretation of the provisions of the Federal Lobbying Act, see the brief filed on January 28, 1948, by the National Association of Manufacturers in the District Court of the United States for the District of Columbia. See also *Columbia Law Review*, Vol. 47, Jan. 1947, pp. 98–109; *Yale Law Journal*, Vol. 56, Jan. 1947, pp. 304–332.

[23] *Cong. Rec.*, Vol. 92, July 25, 1946, p. 10138; on June 17, 1936, Representative

However, a wider purpose of the legislation was understood by Senator LaFollette, chairman of the Committee, as seen in his discussion with Senator Hawkes on the floor of the Senate, the day after Representative Dirksen made his comments:

"Mr. HAWKES: Mr. President, will the distinguished Senator from Wisconsin give me his opinion on one subject which has been brought to my attention by some of the finest organizations in the United States? They are somewhat concerned lest the provision in the reorganization plan against lobbying might be construed to apply to institutions such as the United States Chamber of Commerce, for instance, which was organized at the request of the President of the United States to assemble information and make it available for ready reference for members of his Cabinet and the various governmental agencies. I should like to have the Senator from Wisconsin express his opinion whether it affects these fine institutions which are a part of our business and industrial system in the United States.

"Mr. LA FOLLETTE: So far as any organizations or individuals are concerned, . . . it will depend on the type and character of activity which they undertake. . . .

"Mr. HAWKES: Just a moment, Mr. President. Would not the Senator from Wisconsin be willing to express an opinion regarding such organizations of years and years standing?

"Mr. LA FOLLETTE: I cannot tell the Senator whether they will come under the act. It will depend on the type of activity in which they engage, so far as legislation is concerned.

"Mr. HAWKES: Does not the bill contain language to the effect 'if they are organized to do a business of lobbying principally'? And does not that mean something to the Senator, who knows, of course, that there is not a business organization or chamber of commerce in the United States whose representatives do not come to see Senators and Representatives and interview them regarding legislation?

"Mr. LA FOLLETTE: It will all depend on the type of activity that is carried on. I cannot give the Senator a blanket interpretation."[24]

Smith said: "It [the lobbying bill] does not apply to organizations formed for other purposes whose efforts to influence legislation are merely incidental to the purposes for which formed. . . . " (Cf. *Cong. Rec.*, Vol. 80, p. 9751.)

[24] Contrast this language with that of Representative Smith, who sponsored lobbying legislation ten years earlier: "The amendment proposes to change that language by striking out the words 'in whole or in part' and by inserting the word 'principally.' The reason for that amendment is, it was brought to my attention, and I think to the attention of other members of the committee, that there were many organizations of national scope who have large memberships of thousands and some of millions of members organized principally for other purposes than affecting legislation, but many of those organizations do from time to time become interested in legislation, and they undertake to do something about it. It was not thought necessary or proper that that class of organization, because a minor part of its funds were devoted to purposes of influencing legislation, should be required to report all of the dues of their hundreds of thousands of members, and for that reason this amendment is proposed so that it would not apply except where the money is collected for the principal purpose of undertaking to influence legislation or the election of Federal officers. . . . " Cf. *Cong. Rec.*, Vol. 80, March 27, 1936, p. 4535.

Unlike the bills sponsored by Senator Caraway in the 70th Congress and Senator Black in the 74th Congress, the lobbying act of 1946 does not specifically define lobbying. It may, of course, be construed that the acts and practices under the

It certainly would appear that the Joint Committee in 1946 was thinking of a broad application of the legislation, when in its report it listed the following three distinct classes to which the lobbying title applied chiefly:

"First: Those who do not visit the Capitol but initiate propaganda from all over the country in the form of letters and telegrams, many of which have been based entirely upon misinformation as to facts. This class of persons and organizations will be required under the title, not to cease or curtail their activities in any respect, but merely to disclose the sources of their collections and the methods in which they are disbursed.

"Second: The second class of lobbyists are those who are employed to come to the Capitol under the false impression that they exert some powerful influence over members of Congress. These individuals spend their time in Washington presumably exerting some mysterious influence with respect to the legislation in which their employers are interested, but carefully conceal from members of Congress whom they happen to contact the purpose of their presence. The title in no wise prohibits or curtails their activities. It merely requires that they shall register and disclose the sources and purposes of their employment and the amount of their compensation.

"Third: There is a third class of entirely honest and respectable representatives of business, professional, and philanthropic organizations who come to Washington openly and frankly to express their views for or against legislation, many of whom serve a useful and perfectly legitimate purpose in expressing the views and interpretations of their employers with respect to legislation which concerns them. They will likewise be required to register and state their compensation and the sources of their employment."[25]

As an additional example of its broad intention, the Joint Committee, in its two reports on the Legislative Reorganization Bill, stressed pressure groups rather than the individuals employed by them.

"Mass means of communication and the art of public relations have so increased the pressures upon Congress as to distort and confuse the normal expressions of public opinion. . . . In order to enable Congress better to evaluate and determine evidence, data, or communications from organized groups seeking to influence legislative action, we recommend the adoption of legislation requiring the registration of all groups engaged and individuals employed in such activity."[26]

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statutes that require the filing of statements may be called lobbying. In Senate bill 1095 of the 70th Congress: "A lobbyist, within the meaning of this act, is one who shall engage, for pay, to attempt to influence legislation, or to prevent legislation, by the National Congress." In Senate bill 2512 of the 74th Congress: "Lobbying . . . shall consist of any effort to influence the action of Congress upon any matter coming before it, whether it be by distributing literature, appearing before committees of Congress, or interviewing or seeking to interview individual members of either House of Representatives or the Senate."

These definitions were patterned after the broader one in the House report of 1913, which defined lobbying as the "activities of a person or a body of persons seeking to influence Congress in any way whatever." Cf. House Report 113, 63rd Cong., 2nd Sess., 1913, p. 15.

[25] Senate Report 1400, 79th Cong., 2nd Sess., May 31, 1946, p. 27.

[26] Senate Report 1011, 79th Cong., 2nd Sess., Mar. 4, 1946, pp. 26–27.

And again, the Committee stated:

"A pressure-group economy gives rise to government by whirlpools of special-interest groups in which the national welfare is often neglected. . . . Without impairing in any way the right of petition or freedom of expression, Senate 2177 provides for the registration of organized groups and their agents who seek to influence legislation. . . . Full information regarding the membership, source of contributions, and expenditures of organized groups would prove helpful to Congress in evaluating their representations and weighing their worth. Publicity is a mild step forward in protecting government under pressure and in promoting the democratization of pressure groups.[27]

Still another fact to note in defense of the broader intent of Congress in 1946 is that the lobbying title is part of an omnibus bill dealing with the improvement of the organization and operation of Congress, and did not come as a demand to check the predatory pressures upon that body.

Almost immediately after the lobbying title became effective, many organizations called upon their counsel for advice concerning the applicability of the statute. The Chamber of Commerce of the United States, in its long memorandum of interpretation, reasoned that it did not fall within the purview of sections 305 and 307, and consequently did not file under Form A. The memorandum added: "It should be noted, however, that even though the organization does not have lobbying as its principal activity, an employee or other person paid by the organization who has lobbying as *his* principal activity may be subject to the act."[28] Was the Chamber of Commerce playing safe when two of its representatives filed under Form B prepared for the information required in section 308—one of whom stated in his report that his salary was $15,000 per annum, "although not more than one-fourth is paid for the 'principal purpose' of influencing legislation as defined in section 307"?[29]

Some tax-exempt organizations were even more cautious, and filed no information under any of the forms for fear of jeopardizing their exemption under the Internal Revenue Code. For example, this is the legal advice given to one such organization:

"Since the principal purpose of the Anti-Defamation League is not to influence legislation, the mere publication of the Legislative Information Bulletin, even if it may be considered a publication which directly or indirectly affects Federal legislation, the ADL will not be compelled to register or file. The answer should be the same even in contemplation of the added factor of a Washington representative whose *incidental* purpose may be to influence Federal legislation. Section 101(6) of the Internal Revenue Code provides that a tax exempt organization loses its tax exempt status if a *substantial* part of the activity of such organization is the influencing of legislation. Such a provision may be important if the legislative activity of a tax-ex-

[27] Senate Report 1400, 79th Cong., 2nd Sess., p. 5.
[28] Memorandum dated Aug. 28, 1946, p. 6.
[29] *Cong. Rec.*, Vol. 93, Jan. 3, 1947, p. 52.

empt organization, or its Washington representative, becomes greater than that of merely 'incidental' activity."[30]

On the other hand, counsel for the American Farm Bureau Federation recommended that the Federation and its employees, substantially active in influencing legislation, register under the forms supplied by the clerk of the House and the secretary of the Senate. "While considerable uncertainty exists as to the meaning and scope of the Lobbying Act, I am of the view that the only safe course which your organization can pursue is to register under the act." He argued that section 307 is "made decisive as to what persons or organizations must register under section 305. Unfortunately, section 307 is ungrammatical almost to the point of being unintelligible. . . ."[31]

III. OBJECTIONS DIRECTED AT THE ACT

The lobbying title shows poor draftsmanship in other respects. The sections do not constitute an integrated whole. There is every indication that the drafting was done hurriedly, with little fresh thinking on the problem. An examination indicates heavy dependence upon the bills introduced by Representative Howard W. Smith and Senator Hugo L. Black in the 74th Congress, ten years earlier, and the lobbying title of the Legislative Reorganization Act of 1946 is only a slightly modified version of these earlier bills.[32] Occasionally words are used loosely; for example, a broad definition is given of a "person" in the introductory section of the title, and yet in sections 304 and 308 "individual" is used where "person" would appear to be more accurate. Furthermore, it would be difficult to understand how an association under this broad definition of "person" could be punished by imprisonment, unless individual members of the group were held responsible, in which event a serious question of deprivation of constitutional rights could be raised. There are unclear, and what appear to be contradictory, references to the Federal Corrupt Practices Act in sections 307 and 311. Section 307 exempts from the provision of the lobbying title, "duly organized state or local committees of a political party." Section 311 states that "this title shall not apply to practices or activities regulated by the Federal Corrupt Practices Act." If any reference at all

[30] However, subsequently Paul Richman filed under Form B and stated that he was employed by the Anti-Defamation League of B'nai B'rith and that he "devotes less than five per cent of his time, if any, to activity within the terms of the statute." Cf. *Cong. Rec.*, Vol. 93, May 12, 1947, p. 5210.

[31] F. E. Lee to Donald Kirkpatrick, Nov. 26, 1946. The American Farm Bureau Federation filed quarterly A reports in 1947, and four individuals, including the president, filed B reports, indicating annual salaries totalling $37,000. Each of these four representatives also filed quarterly expense statements under Form C.

[32] H.R. 11223 and H.R. 11663 and S. 2512, all 74th Cong. See House Reports 2081 and 2925, 74th Cong., 2nd Sess., and *Cong. Rec.*, Vol. 80, p. 4535.

to the Corrupt Practices Act is necessary here, it should be a simple statement exempting the political committees of all legally recognized parties from the provisions of the lobbying act. Others may be required to file under the Lobbying and Corrupt Practices Acts, depending upon their activities.

The President received the bill at the fag end of the session and signed it without detecting a typographical error that had slipped into the bill while it was being engrossed. In section 304, the word "rendered" was used instead of "render." The clear intention was that every person who receives contributions of $500 or more for the purpose stated in the law, "shall within five days after receipt thereof *render* to the person or organization for which such contribution was received a detailed account thereof. . . ."[33] Unimportant as this error was, it received considerable unfriendly newspaper notice. In fact, on two occasions, two newspapers dealt with it exclusively. The *Boston Globe*[34] stated: "In any event, an act of Congress will be required to correct the mistake, and lobbyists subject to registration may take advantage of the situation and delay signing up." The *Buffalo News*[35] concluded its remarks on the matter this way: "You can never tell when a tense situation will be rendered past, present, or future on Capitol Hill."

Vigorous opposition was directed against section 308 of the statute because it exempts from its purview "any public official acting in his official capacity." This opposition to the exempting of "tax-paid lobbyists" was voiced by a number of organizations at the time they filed their own reports under protest, or while questioning the applicability of the law to their particular organizations. On October 9, 1946, the representative of the National Physicians Committee for the Extension of Medical Service wrote to the clerk:

". . . the proponents of the legislation in question have indulged in every form of propaganda and publicity they have been able to devise, including the most venomous and unfair attacks, in the leftist press and otherwise, on the National Physicians Committee and its personnel. This propaganda has, in the main, originated in and stemmed from certain branches of our Federal government where there are long established and well entrenched groups of professional bureaucrats, with distinctly collectivist leanings, who are completely committed to the cause of socialized medicine and all that it entails.

"These propagandists, with the resources of the United States treasury behind them, can and do flood the magazines and newspapers with press releases, in addition to the millions of government bulletins and publications that are constantly going out to the general public, all at public expense. But, by the express terms of the Lobbying Act, these bureaucrats are not "lobbyists"; they need make no reports

[33] The term "render" appeared in the bill read to the House of Representatives. Cf. *Cong. Rec.*, July 25, 1946, p. 10137. "Render" also appears in section 3 of H.R. 11223 (74th Cong.) and H.R. 11663 (74th Cong.).

[34] Aug. 10, 1946. [35] Aug. 13, 1946.

and are subject to no penalties regardless of the millions of dollars of Uncle Sam's money they see fit to spend, or however they spend it."[36]

In its memorandum on the lobbying law, the Committee on Constitutional Government, a private organization, said:

"If Congress were properly concerned about lobbying, it might and should long ago have dealt with lobbying by the bureaus set up by the President and itself. For it was shown by Representative Gross of Pennsylvania (*Cong. Rec.*, Mar. 19, p. A1583) that 'the worst and most persistent lobbying comes from the various bureaus within the Government in their effort to perpetuate themselves.' As one of the several illustrations, he mentioned that when Secretary Ickes appeared before the Insular Affairs Committee he was surrounded by 19 lieutenants. . . . We just recently saw the spectacle of the O.P.A. whipping Congress to a standstill and dictating to the President. During the debate, Senator Taft exhibited (July 9, p. 8569) the O.P.A. as the worst of all lobbyists, using the radio and propagandizing in a highly organized manner, even reaching into the schools. The bureaucrats were so impudent that they burnt Taft in effigy in Ohio three times."[37]

There is, of course, ample precedent, in states with lobbying legislation, for exemptions of public officials who, in their official capacity, attempt to influence legislation. Furthermore, the purpose of lobbying legislation is to identify the many private organizations and their agents who are engaged in promoting or opposing legislation. Surely the Congress has other effective means at its disposal—for example, the power of the purse—to discipline such representatives of the federal agencies who, with too much zeal, or in other objectionable ways, go about the business of influencing the legislation they are expected to administer. It would seem that appropriate local-government agencies, not to mention the constituents of elected local officials, could adequately discipline state and local officials who use objectionable methods in influencing federal legislation. It would seem reasonable, however, to withhold exemption of the provisions of the lobbying title from associations of public officials, supported in whole or in part, from private sources.

It has been charged also that the lobbying law is unconstitutional because it violates Amendments I and IV of the Constitution of the United States—that the act is in contravention of the specific constitutional requirements that freedom of speech and the right to petition the government shall not be abridged. One organization further claimed:

[36] See also *New York Times*, Oct. 18, 1946, and *Philadelphia Inquirer*, Oct. 21, 1946. E. H. Cary, chairman of the National Physicians Committee, testified on April 19, 1946, before the Senate Committee on Education and Labor that his group had spent $905,359 on various forms of educational work during the last five years. The Committee reported expenditures of $200,541.63 for the first nine months of 1947 under the Federal Lobbying Act.

[37] First memorandum on Regulation of Lobbying Act, p. 3, probably late August, 1946. The Committee for Constitutional Government reported under the Lobbying Act expenditures of $465,080.97 for the period August 2, 1946, through June 30, 1947, but gave no information on contributors.

"The requirements of this lobbying act . . . make a system of search of the books, records, and papers of the citizen without probable cause, supported by oath or affirmation, in violation of the Fourth Amendment. The records which the Act prescribes to be kept by the citizen are to be used against him when occasion offers. . . . In the courts of the States, as well as in the Federal courts, the constitutional provisions protecting the citizen against unreasonable searches are liberally construed in favor of the man. . . . Wherever there is a lack of jurisdictional oath, or of absolute clarity as to 'the place to be searched, and the persons . . . or things to be seized,' the man wins."[38]

This is a grave charge, and it seems difficult to substantiate it. It may be in order to question the relevancy of injecting the Fourth Amendment into the discussion, and of the reasoning on the part of those who try to make out a case against this federal law by citing a series of Supreme Court decisions involving that amendment but bearing questionable relation to this problem.[39] Twenty-five states now require lobbyists to register, and seventeen of these also require the filing of expense statements. Are pressure groups so influential in these states as to be largely responsible for the lax enforcement of these laws, and hence find it unnecessary to raise objections to them on constitutional grounds or any other?

Surely the regulation of the lobby does not interfere with the constitutional right of free speech, or free press, or the right of petition. It denies to no one the high right of appeal to Congress or to the public for the purpose of influencing legislation.[40] Penalties are provided for those who fail

[38] Memoranda on "Regulations of Lobbying Act" of the Committee on Constitutional Government, p. 3 of the first memorandum, and p. 4 of the second.

[39] Cases cited in the two memorandums prepared for the Committee for Constitutional Government include Boyd v. United States (1886), 116 U. S. 616; Kilbourn v. Thompson (1881), 103 U. S. 168; Sinclair v. United States (1929), 279 U. S. 263; Interstate Commerce Commission v. Brimson (1894), 154 U. S. 447; Federal Trade Commission v. American Tobacco Company (1924), 264 U. S. 298; Hale v. Henkel (1906), 201 U. S. 43; McGrain v. Daugherty (1927), 273 U. S. 135; Jones v. Securities and Exchange Commission (1936), 298 U. S. 1. The brief filed by the National Association of Manufacturers in the United States Federal Court in Washington, D. C. on January 28, 1948, also holds that the lobbying title is in conflict with the Constitution.

[40] Senator McClellan, who preferred a lobbying bill limited to professional lobbyists, viewed the lobbying title before passage as a possible violation of civil liberties: " . . . I should not be willing to pursue that purpose so far as to prevent the president of the Federal Farm Bureau, or the president of the C.I.O., or the president of the A. F. of L., or the president of the Farmers Union, or the secretary of the Chamber of Commerce, . . . from coming to Washington and conferring with their congressional delegation unless they agreed to register and to report as professional lobbyists. I do not think the legislation should go that far . . . I think it is probably an abridgment of the civil rights of our citizens and our constituents, when and if the law does go that far . . . I do not think we have a right to say to any citizen of our State that, as a citizen of the State, he cannot, without becoming a criminal because of violation of this proposed law, contact his Senator or his Representative in Con-

to comply. Of course, one of the objectives of the law is to put the whole game of pernicious lobbying out of existence and the bad pressure boys out of work. This legislation may be regarded as a curb against abuse of petition, as laws of libel and slander are in the case of freedom of speech and of press. It seems doubtful that section 310(b) debarring a convicted person from engaging in lobbying for a period of three years would be considered unconstitutional either as a bill of attainder or as violative of due process. However, it is difficult to see how this penalty can be applied to associations as "persons." No constitutional question has been raised in those seven states that have similar provisions for debarment.[41]

A further complaint is made that the lobbying act does not go far enough. For example, the American Legion and its legislative representatives, who filed promptly under all three forms, complain (1) that the names and addresses of contributors of $499 or lesser amounts do not need to be reported; (2) that many "witnesses" who appear before committees are "lobbyists" and "should be required to state under oath on whose authority they are testifying, and also to state in detail whether they received any travel expenses or other gratuities for their testimony, with the amounts thereof," (3) that all lobbyists who claim to represent organizations submit sworn statements as to their membership and by what authority they speak for such membership.

In connection with the first point, while some abuses may be practiced in the collection of contributions under $500, it would appear inadvisable to change this figure. The listing of names and addresses of thousands of persons whose contributions may really be dues paid by members of legitimate associations should not be required or encouraged. In respect to the second recommendation of the American Legion concerning witnesses before committees, rules of the two houses can adequately meet this desirable suggestion. The Legion's third suggestion can be met by amending the statute to require such information to be furnished preferably by the organizations, rather than by their paid legislative agents. It is evident that the lobbying title stresses the financial background of lobbyists rather than the representative character of the organization, or the processes by which its decisions are reached.[42]

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gress and discuss with him legislation in which he or his organization is interested, unless he registers and acknowledges himself to be a lobbyist." Cf. *Cong. Rec.*, Vol. 92, June 10, 1946, p. 6678.

[41] Kansas, Maryland, Massachusetts, North Dakota, Rhode Island, South Dakota, Wisconsin. See Belle Zeller, "State Regulation of Lobbying," *The Book of the States, 1948–49*, pp. 129, 130.

[42] That the latter was also the intention of the Joint Committee on the Organization of Congress may be seen from its report, Senate Report 1400, 79th Cong., 2nd Sess., p. 5.

Lastly, another complaint directed against the act is that it goes too far—that it is built on the unwarranted assumption that all persons who collect money for the purpose of lobbying may use it in degradation of public policy, and that therefore all persons should be treated as potential wrong-doers. It would be difficult to produce rational evidence supporting this charge. The lobbying title does not draw a distinction between good and bad lobbying. Its aim is to stress the public character of those who participate in influencing legislation.

Wide coverage was given to the Legislative Reorganization Act by the newspapers of the country after the President affixed his signature to the bill. On the whole, the press, in both its news and editorial columns, received Congress' attempt to regulate the lobby favorably. The *Cleveland Plain Dealer* commented editorially on August 2, 1946: "Since most legislation is sought or opposed by special interests, it is well to have these special interests identified, and it is better to have the representatives of the special interests conduct their activities in the open rather than in secret and sometimes mysteriously. Thus it appears that Congress has not only reorganized itself but has brought about a reorganization of the lobbyists." On the following day, the *Journal of Atlanta* (Georgia) said that "the requirement that lobbyists register and disclose the source of their funds will curb, though not eliminate, an ancient American disgrace." The *Washington Post*, in an editorial entitled "Goldfish Bowl Lobbying," noted that "legislators will be able to distinguish more clearly than ever before the plea of organized money from that of individual citizens."[43] On the other hand, a number of newspapers, through feature stories, highlighted the vague terminology in the legislation under headlines that read: "New Lobby Law Spreads Confusion,"[44] "Lobbying Law Stirs Confusion in Washington—Many Puzzled Groups Ask Lawyers if They Must Register under New Act,"[45] "Lobbying Law Goes into Effect, but Exact Meaning is not Clear,"[46] "Lobbyists Slow to Register,"[47] "What's a Lobbyist?"[48]

IV. ADMINISTRATION OF THE ACT

How has the lobbying title in the Legislative Reorganization Act been administered, particularly during the first year after it took effect on August 2, 1946?[49] With the 79th Congress already adjourned on this date,

[43] Aug. 26, 1946. [44] *New York Times*, Aug. 10, 1946.
[45] *New York Herald Tribune*, Aug. 4, 1946.
[46] *St. Louis Post Dispatch*, Sept. 22, 1946.
[47] *Journal Gazette*, Fort Wayne, Ind., Oct. 10, 1946.
[48] *Chicago Times*, Sept. 13, 1946.
[49] The writer has had opportunity to examine, periodically, the reports filed under the provisions of the Lobbying title with the clerk of the House of Representatives and the secretary of the Senate, to talk directly with persons in these offices and

and after numerous inquiries, the clerk of the House of Representatives announced that the Lobbying title would take effect at once.[50] To aid in both the interpretation of and compliance with the act, the clerk's office, in consultation with the secretary of the Senate, promptly prepared the three forms, A, B, and C, on which the information was to be set forth.[51]

Replies in the negative were given by the clerk and the secretary for administrative rulings or opinions relating to the interpretation and enforcement of the act. An early conference after the title became law between the clerk and the Attorney-General resulted in no official interpretation by the Justice Department.[52] It was deemed advisable to let the new statute take its course, permitting the courts to render decision, should a test be made.[53]

The following reply is typical of the clerk's interpretation:

"The provisions of this act appear to be quite clear as to its interpretation. There remains only the possession of detailed knowledge as to the activities of a person . . . in order to apply the test very specifically set forth in the Act. It is the opinion of this office that such a determination should be made by the person who believes he may come within the provision of this law, and that the Clerk of the House should

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with those responsible for the drafting of the legislation, to examine the memorandums of interpretation and advice prepared by counsel for a number of organizations affected by the legislation, to communicate by telephone and letter with some of the counsel and with a larger number of the Washington lobbyists themselves, to examine the press coverage from coast to coast on this Lobbying title, and in some instances to talk directly with the Washington press correspondents.

[50] *New York Times*, Aug. 10, 1946. Unlike other titles in the Legislative Reorganization Act, Title III provided no specific date on which it was to take effect.

[51] In this connection, counsel for the American Farm Bureau Federation commented: "The simplification which the Secretary and the Clerk have thus undertaken is advantageous to persons required to register under the Act, except that Form A, which is for use by organizations, states that it is filed under section 307, thus implying that any organization filing it is engaged *principally* in lobbying." Cf. letter of F. P. Lee to Donald Kirkpatrick, Nov. 26, 1946.

[52] Interview with H. Newlin Megill, acting clerk of the House of Representatives, Dec. 6, 1946; *United States News*, Vol. 31, Sept. 6, 1947, p. 70.

[53] It was disclosed on December 25, 1947, that the United States Attorney-General had earlier appointed Irving R. Kaufman as his special assistant to conduct an investigation of lobbying activities. Cf. *New York Times*, Dec. 26, 1947, and interview with Irving R. Kaufman, Jan. 2, 1948. On. Jan. 14, the Attorney-General announced that he had given Mr. Kaufman written authorization to appear before the grand jury in cases warranting prosecution; and on March 23, it was disclosed that a grand jury in Washington, D. C., had started receiving evidence from the Department of Justice on alleged violations of the Lobbying Act. Cf. *New York Herald Tribune*, March 24, 1948. On March 30, 1948, this grand jury indicted the United States Savings and Loan League. Cf. *New York Times*, March 31, 1948. On January 28, 1948, the National Association of Manufacturers followed what appears an unusual course when it appealed to the federal district court in a civil action for an injunction to enjoin enforcement of the Federal Lobbying Act, which is a criminal statute.

not make a decision for him. For your complete information, additional copies of the forms developed by this office to assist persons in complying with the provisions are herewith. These forms by their very nature tend to simplify the process of understanding the application of this law."[54]

On another occasion the clerk returned a registration on Form A with the advice "that it should perhaps properly be filed in the name of the organization and sworn to by you as the agent thereof." And again a Form A was returned because it reflected no information. "It would appear," said the clerk, "that such a form should be filed by the person . . . with whom you are associated, if they are receiving any contributions or expending any money for the purposes designated in paragraphs (a) and (b) of Section 307. . . . In such a case, a statement by an organization should reflect some type of receipt or some type of expenditure or some information."[55] However, this procedure was soon changed. The clerk now files all reports, regardless of the nature of their contents.

The clerk made the following reply to the request of the representative of the People's Lobby for postponement in filing his financial statement: "I note that your basis for this request is your present illness. There is no authority that lodges with the Clerk of the House in the administration of this act that would permit him to vary the requirement of this statute."

One barometer for measuring compliance is the number of registrations under the lobbying title during its first year. A total of 216 different organizations filed a total of 450 entries with the clerk of the House under Form A.[56] These quarterly reports ranged from one to four for each organization, and, unlike the data filed on Forms B and C, are not published in the *Congressional Record*. Furthermore, the data supplied on Form A, pertaining to the first three questions on amount and sources of contributions are meager indeed. Fuller information is supplied in answer to the last three questions concerned with the expenditures of the associations. On the other hand, too many among the 216 organizations that filed at least once during the year on Form A gave no information at all—"none" or blank spaces appearing in answer to all six questions.[57]

Many itemized expenditures, even of less than ten dollars, appear on

[54] Clerk to Edward A. Rumely of the Committee for Constitutional Government, Inc., Oct. 10, 1946. The same advice was repeated subsequently by the clerk to officers of the organization. On July 8, 1947, Mr. Rumely wrote the clerk ". . . I protest that I am not under any legal obligation to file reports under said Act, and again request a ruling on this question for future guidance."

[55] South Trimble, clerk of the House of Representatives to Charles E. Sands, Nov. 20, 1946.

[56] By January 31, 1948, an additional twenty-one "persons" filed under Form A.

[57] Among such organizations were the National Farmers Union, the United Fresh Fruit and Vegetable Association, the Institute of Cooking and Heating Appliance Manufacturers, and the United Health League.

separately attached sheets. These statements should, and most of them do, include the expenses incurred by the lobbyists employed by the association. However, if the lobbyists' expenses are included on Form A, this does not absolve the lobbyists from registering under B and C.[58]

Among the organizations that indicated in detail not only all expenditures, but also the contributors with their names, addresses, and the amounts given, was the Citizens Committee on Displaced Persons. The chief concern of this organization, which employed twenty-seven registered lobbyists, was to procure passage of the Stratton Bill (H.R. 2910). The Committee reported on Form A that during the first six months of 1947 it received contributions amounting to $236,753.25 and disbursed $185,431.45.

The following list gives a representative sampling of the amounts reported to have been spent by associations during the first six months of 1947:

American Federation of Labor (in campaign to defeat Taft-Hartley Bill)	$819,648.18
Committee for Constitutional Government, Inc.	248,505.58
Townsend National Recovery Plan and Weekly	236,599.42
National Physicians Committee for the Extension of Medical Service	135,367.86
National Association of Electric Companies	126,039.75
National Home and Property Owners' Foundation	77,333.82
Southern States Industrial Council	51,686.95
Southern Pine Industry Committee	34,988.23
American Legion	29,788.22
Unemployment Benefit Advisors	25,157.79
American Farm Bureau Federation	23,097.12
Sea Air Legislative Committee	21,326.20
National Association of Coöperatives	21,119.35
National St. Lawrence Association	20,381.05
Central Valley Project Association	18,306.38
American Medical Association	15,174.11
Christian Amendment Movement	9,875.40
American Library Association	7,990.17
National Conference of Railroad Investors	7,525.83
The People's Lobby	6,694.10
National Federation of Post Office Clerks	6,283.66
North Dakota Resources Board	4,978.21
Western Defense Housing Company	4,848.08
American Parents Association	3,372.59
Federation of American Scientists	3,007.67

[58] For example, J. Byron Wilson, chairman of the legislative committee of the National Wool Growers Association, filed no B or C statements. He is reported to be one of the best known lobbyists on the Hill. The National Wool Growers Association, however, did report on its Form A, filed on July 9, 1947, that Mr. Wilson spent a total of $2,457.22 during the first two quarters of 1947, but made no mention of his annual salary. His colleague, J. M. Jones, secretary of the Association, did file under B and C.

Irrigation Districts Association of California	2,576.22
American Veterans of World War II	494.20
National Committee for Strengthening Congress	248.20
Legislative Bureau of the Communist Party, USA	34.95

Twenty-two organizations that filed under Form A had no record of having hired legislative agents. This, of course, is entirely possible under the lobbying act, as the following statement, attached to the Form A of the Committee for United States Information Abroad indicates: "This is a volunteer committee composed of prominent individuals who are publicly supporting legislation to continue a United States Information program abroad. It has no paid employees other than the office staff listed in the enclosed form A; therefore, we are returning the blank forms B and C."

Even among the organizations that filed under A are a number which registered under protest or with reservations. For example, the American Library Association filed Form A with a statement that although this association " . . . is of the opinion that the provisions of this Act do not apply to its activities, we feel that the purpose of the Act merits the cooperation of every association in the United States and is, therefore, complying with the requirements as a matter of policy."[59]

The National Association of Electric Companies stated that it was very "unwillingly" filing Forms A, B, and C " . . . for the information of the Congress of the United States under Title III of the Legislative Reorganization Act of 1946, but seriously questions whether and to what extent that Act applies to this Association. The scope of that Title is not clearly stated, and the forms have been prepared without the benefit of official interpretation."

However, it is the information required under Form A rather than B and C that throws important light upon the organizations that influence legislation—although occasionally the registrant under B gratuitously gives information about the association employing him. The data required in Form A emphasize what the state lobbying laws disregard, namely, that it is more important to know something of the structure, finances, and policy-making machinery of the organization than of the activities of the lobbyist employed by the pressure group.

Thus a cardinal weakness in the administration of the Lobbying title must be judged by the failure of organizations to file under Form A (some of the most powerful and influential associations are in this category); and secondly, by observing that in many cases very meager information was supplied by organizations that did file.

[59] However, the American Library Association listed its expenditures but not its contributions on its four quarterly Forms A. Letter of Carl H. Milam, executive secretary, to Leslie F. Biffle, secretary of the Senate, Oct. 10, 1946.

On Form B, 845 different registrants recorded 677 "persons" as their employers.[60] If a liberal interpretation had been given to the word *principal* in section 307, the correlation would have been higher between those who filed under Form A in accordance with sections 305 and 307 and the employers of Form B registrants reporting under section 308.[61] These 677 organizations employed a total of 1,058 legislative agents. Included among this latter figure were 74 who recorded that they were employed by more than one person. In fact, these 74 represented 287 organizations and individuals. The record is held by Walter F. Woodul, who represented 24 railroads in Texas, Missouri, and California, and the Imperial Sugar Company of Texas. James E. Curry, representative of 18 Indian tribes, is promised ten per cent of all recovery in claims plus "reasonable fees for other work." Stephen Walter represents 14 different power companies.[62]

The registration figures also disclose that a number of associations have in their employ at the same time more than one person who is responsible for the group's legislative work. The record is held by the Townsend National Recovery Plan. Thirty-four different individuals from twenty-five states filed under Form B and indicated the Townsend National Recovery Plan as the organization in whose interest they were working. While some of the Townsend registrants indicated they were paid a flat salary of $50 or $75 a week, eighteen others indicated that they received as commissions from 25 to 50 per cent of the financial contributions or dues of members in their respective states. The employees at the national headquarters in Cleveland listed salaries ranging from $4,000 to $7,800 and additional expense allowances.[63] The Citizens Committee on Displaced Persons followed the policy of having all of their 27 employees, including office and field workers, file individual registrations on Form B, and thus a total payroll of $165,000 annually was recorded. It seems unnecessary to add that the number of lobbyists employed by any one organization does not indicate its strength or influence. Congress has not adopted the program advocated by the Townsend Plan, nor did the Stratton Bill, urged by the Citizens Committee on Displaced Persons, become law in 1947.

[60] See *Cong. Rec.*, Vol. 93, Jan. 3, 1947, Feb. 5, 1947, May 12, 1947, Aug. 15, 1947.

[61] Although by January, 1948, a thousand lobbyists had registered, they represented a total of about 750 employer organizations and individuals. See *Cong. Rec.*, Vol. 93, Nov. 17, 1947; Vol. 94, Jan. 29, 1948.

[62] It is possible that among these 74 registrants are some who terminated their services with one organization before being employed by another. This may apply to those who filed at different times under Form B. A specific statement of termination of employment should be required on Form C.

[63] On Form A, the Townsend National Recovery Plan, Inc., reported for 1946 contributions of $216,146.34 and expenditures of $584,833.47.

Significantly, former government employees were registered as lobbyists, but not to the extent that one would expect after reading the statements of the late Senator Caraway.[64] The statements filed under the lobbying statute during its first year disclosed that eight former members of Congress were registered, and several former officials of the federal administrative branch.[65]

Sixty-five women are numbered among the 845 individuals who registered as lobbyists. It has been estimated that their total salary is about $170,000 per year in a field of employment that is reputed to draw down in salaries four or five million dollars annually. The highest salary reported for a woman lobbyist was $7,000 per annum, and the next highest was $6,400.[66] The majority of the women lobbyists, however, draw annual salaries ranging from $3,000 to $4,000. Three make less than $1,500 a year, while a number of the women are volunteer workers drawing no salary, but only necessary expenses. The largest number of women registered for a single organization is the ten employed by the Citizens Committee on Displaced Persons.[67]

The highest salary on record is $65,000 paid to Purcell L. Smith by the National Association of Electric Companies, who stated: "On the basis of the activities of the Association to date, I estimate that not over 25 per cent of my time is spent on legislative matters within purview of the act."[68] The runner-up is Stephen M. Walter with an annual salary of

[64] House Joint Resolution 227, 70th Cong., undertook to prohibit former members of Congress from engaging in the practice of lobbying, but the resolution did not pass.

[65] Former congressmen were Albert E. Carter, employed by the Pacific Gas and Electric Company at $12,000 per annum; John A. Danaher of Connecticut, Revere Copper and Brass, Inc., at $25,000 per year; Wesley E. Disney of Oklahoma, National Gas Association of America, at $10,000 per year plus legal fees from other groups; Winder R. Harris of Virginia, Shipbuilders Council of America, at $15,000 per annum; Fritz G. Lanham of Texas, National Patent Council, State Rights Association, and others, at a total of $16,000 per year; Robert Ramspeck of Georgia, Air Transport Association of America, at $25,000 per year; H. Jerry Voorhis of California, Coöperative League of the United States of America, at $7,500 per year; Clifton A. Woodrum of Virginia, American Plant Food Council, Inc., at $36,000 per annum.

Prominent among the other former public officials were Samuel Rosenman, employed by the Associated Fur Coat and Trimming Manufacturers, Inc., at $40,000 per year; and William P. MacCracken, Jr. employed by Remington Rand, Inc., at $12,000 per year, while his services to the American Optometric Association are paid for from time to time, the amount depending upon the nature of the work and the time involved.

[66] These salaries are paid, respectively, to Margaret K. Taylor by the National Coöperative Milk Producers Federation and Hilda W. Smith by the Committee for the Extension of Labor Legislation.

[67] In addition to the list published in the *Congressional Record*, see *New York Herald Tribune*, May 15, 1947. [68] *Cong. Rec.*, Vol. 93, Jan. 3, 1947, p. 54.

$52,000, while Ernest W. Greene is paid $45,180 per annum as agent for the Hawaiian Sugar Planters Association.[69] Top labor leaders, as William Green and Philip Murray, have not registered as lobbyists for their respective organizations. However, three legislative agents for the American Federation of Labor registered, each with $7,280 per annum salary, and two for the C.I.O. at salaries of $6,000 and $4,820. It is perhaps superfluous to note that some salaries are very low indeed, one registrant recording five dollars a year from the District of Columbia Federation of Women's Clubs. There are also a number of volunteers, even among the male representatives who have registered, although a reading of section 308 of the Lobbying title would appear to exempt agents not employed for compensation.[70]

Approximately 400 of the nearly 700 employers of registered legislative agents came from various categories of business, whereas about 75 were labor and government employee associations. Agricultural, veteran, professional, civic, and miscellaneous groups made up the remainder.

A check of the addresses of "persons" employing lobbyists indicated that all but seven states of the Union were represented, as well as the following territories: Alaska, Puerto Rico, and Hawaii. In addition, organizations with addresses in Mexico, the Netherlands, Egypt, Cuba, and the Canal Zone employed registered lobbyists. About 172 organizations have Washington, D. C., addresses; 107, New York addresses; Illinois comes next with 43; then California and Texas with 35 each. It has been estimated that there are about three thousand lawyers in Washington, D. C., more per capita than in any other city in the country. A large number of the lawyers with District addresses represent, as registered lobbyists, not only organizations located in the District, but also organizations with addresses elsewhere in the country, in the territories, and in foreign countries.

Sixteen legislative agents during the first year requested that their registrations be cancelled. Undoubtedly several more of the 845 registered lobbyists terminated their services without specifically notifying the clerk of the House of Representatives or the secretary of the Senate. In these cases, one could assume that the failure to file the quarterly financial report would indicate that their services as lobbyists were at an end. The clerk so ruled in reply to the request of Samuel Rosenman to "withdraw"

[69] Representatives of the Association of American Railroads and the United States Beet Sugar Association are each paid annual salaries of $40,000.

[70] One Jostus R. Moll recorded that he received "no money or other valuable consideration" from the Frisco System Board of Adjustment, except the payment of his annual dues, and he even paid his own expenses. He added: "In addition to said consideration, I hope to receive as other 'consideration' mentioned in the statute, the continued loyalty and gratitude of the membership of Frisco System Board of Adjustment (or any other bona-fide labor union) in return for my efforts."

his registration because his activities in connection with the specific legislation for which he represented the Associated Fur Coat and Trimming Manufacturers had come to an end with its enactment. In reply, the clerk stated: "The act requires persons registered to file quarterly reports as long as they are engaged in the activity, and therefore failure to file such quarterly reports is a notice of withdrawal of registration pursuant to the Act."[71]

In answer to the question on Form B, "the duration of such employment," either a fixed termination date was stated, or, more frequently such replies as "indefinite," "at will," "undetermined," "permanent," were recorded. One of the representatives of the American Federation of Labor, in answer to this question, said: "Until fired, resigned, retired, or dead."[72] A Reverend James C. Olden recorded that he was working for the American Negro "until the problem is solved," and that he was supported in these labors by "free will offerings of churches and interested individuals."[73]

The number of reports on Form C listing the quarterly expenditures of individual lobbyists has increased with each quarterly compilation. For example, 149 filed for the first quarter, 198 for the second, 539 for the third, 631 for the fourth, making a total of 1,517 who filed Form C during this first year.[74]

Most of the lobbyists have complied with the filing of their quarterly financial statement, although some statements came in slowly. In a number of cases, statements have been filed for two quarters at the same time. Furthermore, in a few cases, legislative agents have erroneously used Form A instead of C for their personal filing records. This confusion undoubtedly was caused by the use of the word "person," which normally means an individual rather than an association.[75] Financial statements are not required for any quarter in which the lobbyist did no lobbying. However, a few lobbyists prefer to file the C form and state, for example: "No participation in lobbying during second quarter, and I shall not be lobbying on labor legislation as set forth in first-quarter report."[76]

The statute recognizes the importance of publications in promoting

[71] Apr. 8, 1947. It is evident that it would be well if some provision were made on Form C specifically calling for a statement of resignation or cancellation.

[72] *Cong. Rec.*, Vol. 93, Jan. 3, 1947, p. 49.

[73] *Cong. Rec.*, Vol. 93, May 12, 1947, p. 5209.

[74] The last two quarters covered the first six months of the 80th Congress. By the end of Jan., 1948, 2,592 filed on Form C.

[75] For example, this was done by Charles E. Saltzman, who represented the New York Stock Exchange until he resigned in July, 1947,to become Assistant Secretary of State.

[76] Entries for Herman M. Booth, Jr., in *Cong. Rec.*, Vol. 93, May 12, 1947, p. 5216, and Aug. 15, 1947, p. A4468.

legislation. Form C therefore asks for "the name of any papers, periodicals, magazines, or other publications in which he has caused to be published any articles or editorials." In the overwhelming number of cases, either "none" was recorded, or no reply at all was given. However, there are examples in which some registered agents listed newspapers and periodicals to which news releases and articles had been mailed, or in which they had been published.[77] More often, a single specific publication is mentioned, and that is usually the organ of the association employing the lobbyist, e.g., "None other than weekly newsletter published by employer."

In answer to the last question of Form C, "The proposed legislation he is employed to support or oppose," the replies take different forms. Agents for the Citizens Committee on Displaced Persons mentioned "H.R. 2910, Emergency Temporary Displaced Persons Admissions Act (Stratton Bill)." In another case, there appears a series of specific bills. The representative of the American Farm Bureau Federation replied: "In accordance with the annual meeting resolutions, adopted by the Federation, proposed legislation on the following matters has been supported or opposed."[78] More often some such general characterization is given as "any margarine legislation," "measures affecting the ownership and operation of real estate," "legislation affecting credit union," "matters affecting the mortgage-banking industry," "supporting legislation for the unemployed," "all legislation of interest to business such as bills on taxes, budget control, portal to portal pay suits, general labor, claims, etc.," "legislation for workers."

It has been observed that 677 "persons" were listed as employers on Form B. In addition, there were 22 associations that filed under A, but did not employ lobbyists, according to the Form B records on file. A breakdown of this total figure of 699 indicates that 498 were associations or member organizations, while 201 were individuals or individual companies and corporations. How many organizations are really active in the area of national legislation? Samuel H. Tower stated in the *New York Times* that "lobbying has reached, if possible, a new pitch of activity in the present session of Congress."[79]

Joseph and Stewart Alsop reported that

> "in the presence of lobbyists, the Eightieth Congress of the United States has behaved like a blowzy chorus girl just starting on her second pint of rye. . . . At this session something very like the beginning of a lobbyists' carnival has been plainly discernible . . . the power lobby is the most active, and most conspicuously well-heeled, in Washington. Its grand panjandrum, the high-powered P. L. Smith, repre-

[77] *Cong. Rec.*, Vol. 93, Aug. 15, 1947, p. A4492.
[78] *Cong. Rec.*, Vol. 93, Aug. 15, 1947, p. A4493.
[79] *New York Times*, June 1, 1947.

sentative of the National Association of Electrical Companies, gets a salary in the Hollywood class—$65,000 annually, with an ample expense account. But even the prosperous Smith is less important than the numerous officials of the large utilities companies. These converge on the Capitol at frequent intervals to make the boys on the Hill see the power question in the old free enterprise way. And behind these large operators, there is a whole network of lawyers with retainers from the utilities, bankers with deposits from them, and other influential figures. These speak from the voting districts to Washington with voices of authority. Besides stirring up the sordid attack on David E. Lilienthal, the power people have scored major successes at this session with the Appropriations Committees."[80]

In vetoing the Housing and Rent Act of 1947, President Truman stated:

"One of the most stubborn obstacles in the way of any constructive housing program has been the opposition of the real estate lobby. Its members have exerted pressure at every point against every proposal for making the housing program more effective. They have constantly sought to weaken rent control and to do away with necessary aids to housing. . . . It is intolerable that this lobby should be permitted by its brazen operations to block programs so essential to the needs of our citizens. Nothing could be more clearly subversive of representative government. . . ."[81]

And again, Ned Brooks, Washington correspondent wrote:

"The real estate lobby's series of successes in Congress has soothed the sting of President Truman's rebuke to it. . . . They have won all major objectives in the current session. . . . Six weeks before the session began, Boyd Bernard, then president of the National Association of Real Estate Boards, told members to 'wait for the New Congress on the Capitol steps with a proposal for a cushioned decontrol of rents.'

On May 12, after the House had passed the bill opening the way for rent increases and repealing most of the Veterans' Emergency Housing Act, the Association notified members: 'We won the first round of rents through the passage of the Wolcott Bill. This embodies substantially the program we wanted.'

At the same time the Association was soliciting its membership for $5 contributions to conduct 'legislative and research work' here in Washington. Officials ridiculed statements that it had a $10,000,000 fund available for putting over its program, saying its goal of voluntary subscription was only $59,000.[82]

The six leading organizations which constitute the real estate lobby in Washington are: Association of Real Estate Boards, National Home and Property Owners Foundation, National Association of Home Builders, Buildings Products Institute, United States Savings and Loan League, and National Retail Lumber Dealers Association. According to statements on file in the clerk's and secretary's offices, their fourteen agents receive salaries totalling $81,450 per annum. Only two of these organizations during the first year filed under Form A. The National Association of

[80] *Washington Post*, July 25, 1947, reprinted in *Cong. Rec.*, Vol. 93, July 25, 1947, p. A4067. [81] *New York Times*, July 1, 1947.

[82] *Washington Daily News*, July 21, 1947, reprinted in *Cong. Rec.*, Vol. 93, July 25, 1947, p. 10353.

Real Estate Boards reported expenditures of $39,355.72 in 1946, and the National Home and Property Owners Foundation recorded, for a seven-month period in 1946, expenditures of $232,132.08.[83]

In the *New Republic*, Helen Fuller refers to the "80th Congress . . .[as] a demonstration of government by lobby and steam roller." She indicts, among others, the Association of American Railroads for its lobbying budget of nearly $5,000,000 per year, which got the Reed-Bulwinkle Bill (exempting railroads from the anti-trust laws) through the Senate, and the sugar interests which put through "a sweet deal in the Sugar Act of 1948;" and the "big business' biggest guns, the N.A.M. and the U. S. Chamber of Commerce concentrated on labor first, taxes second."[84]

On the other hand, organized labor, with the assistance of consumer and other civic organizations, was far from quiescent. The registrations under the Lobbying title record about seventy-five organizations affiliated with the A. F. of L. and C.I.O., as well as unaffiliated groups. Unprecedented sums of money were spent in legislative battles, particularly over the elimination of price controls in general, rent controls, the Taft-Hartley Labor Act, and the reorganization of the Labor Department. As never before, in enterprising and novel ways, radio and newspaper advertisements were used to carry labor's message to millions of people.

On June 23, 1947, Representative Arends of Illinois, on the floor of the House, said:

". . . Last week, during the discussion of the President's veto message on labor, some 800 lobbyists were reported to have come to Washington in an automobile veto caravan. They came here for the purpose of influencing the President to veto the Labor Act and to exert their influence on members of Congress to sustain such veto.

"Who paid their expenses? Have they registered as lobbyists?

"There have been reports that labor organizations have spent more than $1,000,000 on lobbying against the labor act and for sustaining the veto. Have those expenses been reported as lobbying costs?

"Phil Murray, president of the C.I.O., was interviewed on a radio program Friday night called Meet the Press. In that radio interview Mr. Murray said that he had talked to various members of Congress about the act. Mr. Murray was asked if he thought that would come under the head of lobbying. He replied that he did not believe so. Many members had called him asking about the act, he replied. Is that lobbying, and is Mr. Murray registered as a lobbyist?[85]

[83] On Mar. 30, 1948, the federal grand jury in Washington, D. C., indicted the United States Savings and Loan League for its failure to file under Form A of the Lobbying Law. Three of its legislative representatives did file under Form B. When a federal grand jury brought an indictment against the National Association of Real Estate Boards and the Washington Real Estate Board on grounds of conspiring to fix commission rates for real estate dealers, the president of the National Association saw in this action a reprisal for disagreement with the Administration on housing. Cf. *New York Times*, Aug. 29, 1947. [84] Aug. 4, 1947.

[85] *Cong. Rec.*, Vol. 93, June 23, 1947, p. 7716. Neither Mr. Murray nor Mr. Green has registered under the lobbying act.

The American Federation of Labor filed under Form A for the first time on July 11, 1947, a detailed statement of receipts and disbursements for the period from April 23, 1947, through June 30, 1947. It showed that the Federation had received for its fight on the Taft-Hartley Bill contributions aggregating $992,452.30 from 102 of its national and international unions and from its local trade and federal unions, and had spent $819,648.18.[86] The largest items in its expenses were: for newspaper advertising, $423,821.58; for radio advertising, $322,839.26; for radio entertainment, $61,673.54; and for telegrams, $3,641.33. The three unions making the largest contributions were: United Mine Workers of America, $90,000.00; United Brotherhood of Carpenters and Joiners of America, $90,000.00; and International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America, $93,750.00. Judging from these figures of the American Federation of Labor, it can be concluded that all of organized labor must have spent millions of dollars in its unsuccessful campaign to keep the Taft-Hartley Bill from the statute-book.

It is, of course, difficult to estimate with accuracy the number of pressure groups that are active in the area of national legislation. It is undoubtedly an understatement that, even with a strict interpretation of the lobbying law, more than the 699 employers that can now be found in the files should have registered under the Lobbying title. According to the Bureau of Foreign and Domestic Commerce, more than 3,000 national trade and professional associations are represented at the capital in some manner.[87] The report of the Temporary National Committee on "Economic Power and Political Pressures," prepared by Donald C. Blaisdell in 1941, listed 381 *national* organizations with *permanent* representatives in Washington.[88] Many of the associations recorded under the lobbying law during its first year are not, of course, national organizations, and undoubtedly do not all have permanent representatives in Washington. Eighty-two organizations in this 1941 list registered in some form under the lobbying law in 1946–47.

[86] For the period April 23, 1947, through December 31, 1947, receipts were $1,046,478.02 and expenditures $834,565.38.

[87] C. J. Judkins, *Trade and Professional Associations of the United States* (Washington, D. C., 1942), U. S. Department of Commerce, Bureau of Foreign and Domestic Commerce. The associations are broken down as follows: 1,900 trade associations (business competitors in one industry); 300 other "business associations" (not trade associations, but composed largely of business men); 600 other organizations (the activities of these are of special interest to business, such as the American Farm Bureau Federation, American Federation of Labor, American Medical Association); 300 additional associations. The National Association of Manufacturers states that there are about 1,500 national or regional trade associations of commercial or industrial enterprises.

[88] T.N.E.C. Report, No. 26, pp. 197–201.

V. RECOMMENDATIONS FOR STRENGTHENING THE ACT

During its first year, the federal lobbying law has been of limited effectiveness. However, a sufficient number of registrants have complied in one way or another to justify an early revision. Soon after the law became effective, an Omaha newspaper reported: "A cynical alliance stands as a new threat to the LaFollette-Monroney Congressional Reorganization Act. The *World Herald's* Jack Jarrell reports from Washington that some of the nation's top lobbyists have joined forces with the unofficial Congressional Old-Timer's Club in a drive to undercut the bill."[89] Whether or not the Omaha correspondent was correct, the federal Department of Justice may force the hand of Congress, and revision of the lobbying law may be seriously undertaken.[90]

Unlike the original title, all proposed amendments should be subjected to careful scrutiny by committee members, following full public hearings.[91] The value of carefully planned hearings cannot be over-estimated. On this point, Professor Joseph P. Chamberlain of Columbia University told the Joint Committee on the Organization of Congress:

> "I think, in my experience, it is enormously important in order to get good legislation to have careful committee consideration. I have drafted a good many bills in my time for private organizations, for state departments and bureaus, and I have never felt any satisfaction about any measure to which I might have given a great deal of time and consideration unless it had had a careful hearing before a committee—and I knew that the common sense of that committee had been expended on that bill."[92]

Methods employed to influence legislation are no longer restricted largely to "buttonholing" members of Congress in the nation's Capitol or at home. Mass channels of communication and the art of public relations have increased the pressures upon Congress and other government agencies, and thus have drastically changed modern pressure techniques. It is recommended that:

1. The Lobbying title of the Legislative Reorganization Act be completely redrafted and its various sections considered as an integrated whole, in order to avoid contradictions and ambiguities.

[89] *Omaha World-Herald*, Oct. 9, 1946.

[90] See footnote 53 above. The Justice Department holds that the phrase "principal purpose" in section 307 means any purpose which is not incidental to the activities of the "person" in question, that any other interpretation would be meaningless and would clearly defeat the expressed intention of Congress. See testimony of Irving R. Kaufman before the Senate Committee on Expenditures in the Executive Departments, Feb. 17, 1948. See footnotes 53 and 83 above.

[91] The Senate Committee on Expenditures in the Executive Departments has already held such hearings, in which the writer participated on Feb. 17, 1948. *New York Times*, Feb. 18, 1948.

[92] Hearings before the Joint Committee on the Organization of Congress, 79th Cong., 1st Sess., Part 4, p. 1007.

2. The words *principally* and *principal* now appearing in section 307 be deleted, and the lobbying act be made applicable to all organizations that now expend a specific sum (for example, at least $1,000 for any one quarter of the year) in influencing public opinion or the agencies of government, directly or indirectly, in the passage or defeat of any legislation by the Congress of the United States. While it cannot be denied that organizations such as labor, chambers of commerce, trade associations, farm groups, etc., do perform major services not *directly* related to influencing legislation, such legislative activity as they do engage in, even for limited periods, may be of vital importance to the existence of these organizations. It is difficult, even at times impossible, to separate the so-called non-legislative from the legislative expenses of any organization.[93] Therefore, the act should require a statement of the total budget of these organizations, broken down into broad categories of expenditures with a listing specifically of all items of expenditure labelled *legislative*. The names and addresses of contributors of $500 or more in any one quarter should appear in the statements filed under the Lobbying title, whether specifically earmarked for *legislative* purposes or not.

3. A statement of the bona fide total membership of organizations should be required. It would also be effective if each organization were required to state how its legislative policy is determined and to indicate the responsibility of the lobbyist in conveying these views on behalf of the membership of the organization. It would then be a simple matter to expect chairmen of standing and special committees to require of a witness appearing at hearings a sworn statement as to whom he represents, the membership of his organization, and the internal structure of such organization, indicating how the position taken by the witness was arrived at. This might prove a great step in the direction of making pressure groups more representative of their actual and potential membership, and more democratic in their procedures.

4. It should be the responsibility of a specially designated agency to enforce the lobbying act. This agent should be the Attorney-General of the United States. It would be his responsibility to see that complete

[93] For example, the chairman of the National Legislative Committee of the American Federation of Labor, in order to support his statement "that the legislative expenses of our organization is a very minute proportion of its activities," points to the annual report of the Federation for the year ending August 31, 1946, in which the total expenditures of the Federation were given at more than two and a half million dollars and legislative salaries and expenses amounted to $16,441.57. Cf. letter of W. C. Husking, Dec. 6, 1946, and Report of the Executive Council of the American Federation of Labor, 1946, pp. 2–3. For the year ending Aug. 31, 1947, although the total expenditures of the Federation exceeded five million dollars, legislative salaries and expenses were $22,474.00. These figures do not include the sums spent in the Federation's campaign to defeat the Taft-Hartley Bill.

information is supplied in accordance with the terms of the act and that such information is given the fullest publicity. Publicity is the key to effective enforcement of lobbying legislation. The compilation of the data for the *Congressional Record* is only a first step. The clerk of the House and the secretary of the Senate, now responsible for the compilation of the data on Forms B and C, lack police power. The information on *all* forms, to be prepared by the Attorney-General in the first place, should be published at quarterly intervals in the *Congressional Record*. One copy should be filed with the enforcement agency and one with the clerk of the House. It is further recommended that the compilation of the data be furnished either by the enforcement agency or by the clerk of the House to the Press, Radio, and Periodical Press Galleries at stated intervals, in sufficient number to permit distribution to each accredited member of the Galleries.[94] Copies of the compiled lobbying data should also be sent at weekly intervals while Congress is in session to the presiding officers of each house in sufficient number to permit distribution to each member of Congress.

Furthermore, the Attorney-General should be specifically required to evaluate in his annual report to Congress the working of the lobbying act during the past year, to interpret the information yielded under the act, and to suggest improvements through administrative or legislative action. It would be highly advisable for the appropriate congressional committees annually to evaluate the act, as provided in the Legislative Reorganization Act.

5. The act should be revised to require the filing of statements and registration of "persons" who exert influence upon any federal bureau, agency, or government official. The Congress having taken the first step in requiring registration of persons exerting influence upon the legislative body, the extension of its provisions to the administrative agencies would be a simple matter. It would be further recognition of the fact that the pressure upon the administrative division is considerable.[95]

6. The act should specifically prohibit the employment of any person to promote or oppose legislation when compensation is contingent in whole or in part upon the passage or defeat of legislative matters.[96]

[94] For membership of the Press, Radio, and Periodical Press Galleries, see *Congressional Directory*, Jan., 1948, pp. 731–783.

[95] Senate bill 2512, 74th Cong., introduced by Senator Black, made such provision.

[96] This prohibition is found in many of the state lobbying laws. Contingent payments may tend to encourage questionable practices. A registrant, in answering question 4 on Form B, "how much he is paid and is to receive," stated: "$10,000 per annum as a retainer as Washington counsel on all matters affecting the economic and legal welfare of the [fur] industry, plus a fee of $15,000 in the event excise tax on furs is cut from twenty per cent to ten per cent, plus an additional fee of $25,000 in the

7. The exemption granted in section 308 to newspapers or other regularly published periodicals should be extended to radio.

8. The contradictions in sections 307 and 311, as affecting the Corrupt Practices Act, should be resolved, making it clear that only duly organized state and local party committees are exempted from the provisions of the lobbying act and that others may be required to file under the lobbying and corrupt practices laws, depending on their activities.

If the foregoing suggestions were adopted, many organizations now enjoying tax exemption status under the Federal Internal Revenue Code might lose this status if they complied with the lobbying statute so amended. This is undoubtedly one of the chief reasons why many organizations have not filed under the ambiguous terms of the present law. It would seem, then, that Congress might be required to amend the Internal Revenue Code if it wished these organizations to continue as tax exempt groups.[97]

No one doubts that it is a nuisance to require such full information from private organizations. Yet the time is opportune to insist upon it. These groups have grown accustomed in the past two decades to furnishing more and more information to the government. Teeth should be put into the Lobbying title at the earliest practicable moment. It is far better for Congress to clarify its position than for the courts to do so. Groups engaged in the legitimate activity of helping the people's representatives formulate public policy are in a sense clothed with a public interest. A democracy is entitled to the fullest information from all the sources that constitute its functioning parts—and who would deny that pressure groups play a valuable and indispensable part in the dynamics of government?

However, regulatory legislation by itself, no matter how carefully drawn or vigorously enforced, will not eliminate the predatory lobby or discourage the use of questionable or illegitimate practices by pressure groups. Significantly, the Lobbying title is part of the Legislative Reorganization Act which aimed to improve and modernize the organization and operations of the Congress. For example, by placing greater professional expert and clerical assistance at the disposal of legislative committees and members, Congress has made itself less dependent on unofficial sources of information than ever before. Strengthening the ability of government to formulate legislative policy will go a long way toward providing effective regulation of pressure groups.

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event the entire excise tax on furs is repealed on or before July 1, 1948." Cf. *Cong. Rec.*, Vol. 94, Jan. 29, 1948, p. 741.

[97] See U. S. Code, title 26, sec. 101(6), 1938.

FORMULATING THE FEDERAL GOVERNMENT'S ECONOMIC PROGRAM: A SYMPOSIUM*

I. THE INFLUENCE OF THE POLITICAL ORDER

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I

In this opening paper, it will be assumed that there is general understanding of popular control as resting penultimately with Congress, proximately with the chief executive, and operating on the whole administrative process, as it does on other processes of government. It will be assumed also that public economic policy and politics are everywhere intermingled, however much policies may vary in the amount of economic content; and that policy and administration are everywhere, if variously, intermingled. It will be assumed further that the contributions of political administrative officers, members of Congress, party leaders, public administrators, experts and other civil servants, interest groups, and the public generally, are intermingled in the administrative process as well as in other processes of government. Discussion seeming to support these assumptions will not be submitted by way of proof, but merely by way of exploring some of the ways in which politics may be seen to influence the federal government's economic program. Whether or not these ways are adequate to the reality of democracy, or whether they are adequate in a strictly economic sense, are questions that would require much more extensive treatment than here is possible.

No reference will be made to executive participation or initiative in the drafting of legislation, on the ground that the source of a draft is unimportant to, and without significant restrictive effects on, the exercise of the congressional functions of final formulation and enactment of bills. Executive drafting is merely a means of executive communication with the legislature.

Since the ultimate powers of Congress are very much in accord with theory and widely understood; since the rôle of the President is dramatic and widely understood; since administrative offices are citadels of the

* Planned and arranged by Fritz Morstein Marx, Washington, D. C. A related symposium entitled "Maintaining High-Level Production and Employment" was published in this REVIEW, Vol. 39, pp. 1119–1179 (Dec., 1945).

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experts; and since the conduct of administration is complex, far-flung, diffuse, and little understood, principal attention will be given to the intermingling of policy-making and administration within the executive branch. This intermingling is itself a political process, and at the same time a vehicle of political control.

Confusion results from the disposition to separate policy and administration, or politics and administration. The two may be usefully separated for some kinds of study, but they must be brought together in practical operations, and for full understanding they must also be studied together. The distinction between policies is not simply that one kind of policy is less a policy, and therefore less political, than another kind of policy; there are many possible distinctions. One distinction is that a certain kind of policy normally may be made wisely and effectively at one level of government, while another kind of policy may normally best be reserved for attention at another level. For the most part, this distinction must be made pragmatically. It can be made only in realization that a policy normally left for determination at a relatively low level may on occasion require attention at a higher or even the highest level; and that a policy heretofore felt to require attention at the top may come to demand delegation to a lower level. In the latter case, the content of the policy may be fully as political as it was before.

Delegation may involve greater political exposure, or different political handling, but not a divorce from things political. So far as the "political branch" or the higher political levels in the executive hierarchy are concerned, reserved political control—not necessarily determination—is of the essence. But it is as true for legislative bodies as it is for high-level administrators that "not to make decisions that others should make is to preserve morale, to develop competence, *to fix responsibility*, and *to preserve authority*."[1]

Delegations from Congress to the executive branch or from a political administrator to an official at a lower level sometimes follow a gain in popular acceptance of the program concerned, and therefore lead to a reduction of the program's political character. But this is by no means invariably the case. Even when it is, it should not be assumed that the political content of the program has disappeared or that political forces and processes do not bear upon it. The fact that the chain of control in government is a political chain confers political character upon every link in the chain. Even more important, the location of the last link is still in a political area.

The difference between the political character of a bureau and that of the presidency is like the difference in political character between a con-

[1] Chester I. Barnard, *The Functions of the Executive* (Cambridge, Mass., 1945), p. 194. Italics added.

gressional committee and Congress as a body. Congress as a body simply has a *higher* political function—the function of translating committee policy expressive of special interest into policy embodying the total public interest or majority-government policy. The totality of our political processes work, and can only work, through the totality of our government. In various policies and actions, there are differences in degree, in majority or minority character, in level, in time and place, that have to do with the amount and kind of political content, and the political importance and validity of governmental action. There are also differences in technical content and in technological urgency. But policy-making and administration are together a continuing, reciprocal, mutually dependent, and interlocking process. Professor Charles E. Merriam, in a recent lecture, declared that the executive body has become fully as political as the legislative, and he described their two functions as constituting a "circular process."

Certain aspects of the intertwining were discussed by Professor Pendleton Herring in an admirable essay[2] beginning with this sentence: "The formulation and execution of fiscal policy means the realization of economic objectives within a political context." Later passages suggest that the emphasis might as well have been shifted from economics to politics; the latter part of the first sentence might as well have read, "the realization of political objectives having economic content." Must politics be regarded as either horse or cart? Or may we not better think of both the economic horse and the political cart—or the political horse and the economic cart—as having been displaced (if ever it was otherwise) by a power vehicle in which the functions of horse and cart are intermingled? The intermingling of economics and politics within the executive branch is just one aspect of the general intertwining of politics and administration.

II

Unnumbered laws and govermental activities under those laws go to make up the whole economic program of the federal government. Research which produces new products or provides technological improvements changes the economic conditions within which enterprises are carried on. Disease and pest control both change producing conditions within the country, and on occasion are susceptible of being used as tariffs. Provision by government of statistical services affects business activity. Conservation programs on public and private lands change land use, in both short and long terms. Governmental activities of especially high, direct, and pervasive economic content include the following: debt and currency

[2] "The Politics of Fiscal Policy," *Yale Law Journal*, Vol. 47 (1938), pp. 724 ff.

management; bank supervision and bank-credit management; the levying and collection of taxes; government-corporation management of credit extension, economic and social development, price support, and insurance; research and technical work, provision of services, regulation of business, minimum-wage controls and supervision of collective bargaining, welfare, benefit payments and grants-in-aid; tariff administration, international loans and relief; budget-making and high-level economic analysis.

If examples were to be listed under each of these categories, the variety and complexity of economic considerations involved would call forth a question about the feasibility of any conscious and integrated economic program. To think beyond this about administrative complexities, the necessary division of labor and of responsibility among thousands of executives; to see the administrative process further complicated by the functions of courts and of Congress and the ceaseless pressures of infinite citizen interests—this is to repeat and underline the question, even when it is directed only to the rôle of the executive branch. Indeed, no further exploration is needed to produce a partial answer: no program completely free from inconsistency is possible, in this government or in any other, with democracy or with dictatorship, with capitalism or with communism.

In a world characterized by change, this surely is a virtue—up to a point. One question, then, is whether machinery exists for achieving enough consistency; whether on the whole the government is capable of identifying principal objectives and moving in general with sufficient effectiveness toward those objectives somewhat dimly seen. Another question, especially important in a democracy, also arises: Is the identification of objectives and the movement toward them sufficiently responsive to popular desires and aspirations, and sufficiently controllable by the citizens? The consistency of objectives and of actions with respect to them should be not too much greater than the consistency of the desires and upreachings of the people who constitute the society. Through diverse and complex political processes may be achieved a more appropriate and truer logic than could be the isolated product of the most highly qualified council of expert planners. The government must be concerned with both economic efficiency and democratic efficiency.

It is largely because of such dual concern that no kind of problem with which public administrators deal is invariably one to be decided at any particular level in the administrative hierarchy. This fact is reflected in Herbert Emmerich's remark that he has been able to find no way to define policy except as "that which must be referred to my superior." Any kind of problem may on occasion require consideration at the level of a political officer, or at the presidential, congressional, or popular levels. Certain kinds of problems may be identified, however, as problems that *usually* are resolved, and should be resolved, at levels below those of politically

appointed or elected officials. This identification is bread-and-butter business in the processes of administration.

There are two main areas of discretion normally left to non-political officials. One such area is administrative in the sense that it is implicit, habitual, within bounds previously fixed by general decisions or administrative tradition or social custom. It is the area not more technical in character than the functions of the whole administrative organization.

This area includes, for example, much of that part of the government's economic program which is involved in the examination of banks—whether by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, or the Federal Reserve System. A good deal of policy is developed through administration of these activities without direct benefit of political officials or professional staffs of economists. Some of the policy fails even to reflect much of the indirect current influence of economists. The attitudes of individual bank examiners vary. For the banks that one examiner visits, he makes policy to a certain extent, while another examiner is making slightly different policy for other banks. Policy attitudes of the examiners may be reflections of poor teachers' interpretations of inferior economics textbooks of a quarter of a century before, or reflections of common public attitudes of earlier or present times, or reflections of administrative habit in the examining organization adjusted or not to present situations.

If policy so made is not acceptable, the banks may get attention at higher levels. Neither the political character of the banks' unhappiness nor the political nature of the policy about which they are unhappy is to be doubted. The point is simply that *the height of the level of such attention is roughly a product of the depth of the banks' dissatisfaction multiplied by their number and strength, modified by their persistence and techniques of agitation.* If the dissatisfaction is in other examining agencies (perhaps because of criticisms coming to them from bankers), the same general situation obtains. There is at work in this area of policy a continuing but inconstant interplay of forces, all of them having some popular or popular-representative character.

The second main area of discretion normally below the level of political officers may be described as the area of preponderantly technical content where highly specialized knowledge beyond the broad functional specialization of the agency is important. One subdivision of this area is occupied by economists. Because of complaints from bankers, or because of recognition of differences in point of view within the organization, or out of spontaneous sense of change in conditions requiring restudy of policy, some policy in the bank-examining organizations is made by staffs of economists. Policy of their making is normally limited to what, without formal administrative support, they can persuade the examining group to

accept. Next, it is limited to what they can get administrative officials to accept in view of the known or discovered attitudes of examiners and bankers. Thereafter, attitudes of the economists become part of a larger blending of influences. Such contributions to policy, like all others, are subject to modification in the light of both operating experience and changing social conditions affecting the balance of forces that reflect functional and power interests and attitudes.

III

Each of the two areas which have been described extends outside the boundaries of single operating agencies. What representatives of the Federal Deposit Insurance Corporation say when they visit banks must have influence on examiners representing the Comptroller of the Currency, and *vice versa*. Similarly, the positions of economic staffs in one organization are modified by the positions of economic staffs in another. Economists in one organization may be so highly specialized in their expertness or so limited by their functional environment as to contribute to the making of policies which would not be supported by economists having other responsibilities or broader resources. There are occasions, therefore, when bank-examining policies require over-all consideration together.

This comes according to the depth of the unhappiness of staffs in different fields, the prestige and persuasiveness of the economists, their relative agreement, the depth of dissatisfaction of bankers, the depth of social distress, the strength of the dissatisfied, and the persistence and techniques of their agitational efforts. There are still further occasions when bank-examining policies as a whole require consideration in connection with other economic policies. Economists, the press, the opposition party, bankers and their customers, and citizens generally—all have functions with respect to the identification of these various types of occasions, with citizens particularly serving as an ultimate jury with power to decide just what order of occasion it is.

Normally, however, it may be presumed that bank-examining policy may safely be left to its normal course. This presumption can be made because of the lack of convincing outcries from economists in other fields; or the failure of the press, the opposition party, bankers and their customers, or the public to dig up materials that seem to justify attention at higher-than-normal levels. The various levels do exist. Normally there are from five to twelve inconspicuous but highly important levels within the civil-service hierarchy. The movement of business between and within these levels operates as a preventive of conspiracy and arbitrary action with respect to the public. It serves to secure a representative product.

Economic staffs are on the job, although perhaps too weak. They and operating personnel are under political officers who do have an over-all control. Incomplete though such control always is by custom, administrative necessity, organizational pressure, and general conditions, it limits policy-making by examiners and by staff economists and does provide a necessary higher level of appeal and determination. Alongside one organization are other organizations with modifying and competing functions and qualifications, representative of their own interests and attitudes, and as such possessed of power capable of influencing all parts of the government. Behind the political officers, and behind all the executive agencies together, as a necessary higher level of determination, is the President, representative of the whole area of administrative discretion and policy-making. The power commonly thought of as his is his personal power added to the power of the entire bureaucracy. Behind the President, as another necessary higher level, is Congress. Behind both the President and Congress are the people as a potential ultimate place of appeal and direction.

This description of one area of economic policy is illustrative of all other policy areas and of the area of the government's whole economic program. It affords a picture of complicated influence, of administrative, technical, and political adjustment. It is a scene in which leadership—great and small—plays its part, in which is played the rôle of the economists as the government's economic program takes shape. Here political character predominates and penetrates to the remotest corner. Yet technicians and technical considerations exert a pervasive influence in connection with the exercise of leadership.

Measurement of the adequacy or effectiveness of the influence of the economists can be in part mathematical—in terms of economic growth or decline, the national income, the number of unemployed, rates of changes in these figures, excess or deficit of government payments to the public compared with government collections, changes in the price level, estimates of public needs, and so on. Yet these various measurements must be weighted, and weighting in such cases is more a political than a statistical function. Many necessary measurements do not lend themselves well to mathematical treatment at all, particularly measurement of the acceptability of any one economic proposal in the social complex of the moment. Such measurements of effectiveness are of the essence. Politics provides the means for formulating equations into which figures enter, but which contain much more than figures. If mathematical portions of the equations are to be more influential, it will be because of changes in the political factors—a growing popular sense of the value of the economists' contribution, and increases in the persuasiveness of the economists' proposals in particular cases.

Such developments would result in further delegations from the legislature to the executive branch, and from political administrators to technically qualified sub-administrators. The matters delegated would have the same content as before. Their political exposure would be somewhat altered; the political processes of determination would be correspondingly modified (and probably refined). But ultimate political controls would not necessarily be shifted, and might even be strengthened.

IV

The federal area in which executive handling of economic policy has had its clearest and longest development is that dealt with by the Bureau of the Budget. With only two presidentially-appointed political officers —the director and the assistant director—and a staff of several hundred professional workers, the Budget Bureau has been performing for a good many years with remarkable acceptability the executive function correctly described by Professor Herring as "interest-balancing." As he said: "The formulation of fiscal policy lies at the dead center of democratic government. It is the very essence into which is distilled the conflict between the haves and the have-nots. . . . When the government uses its legal controls of economic affairs in order to attain certain social ends, purely financial standards are inadequate. . . . Today no one view of sound fiscal policy can be pushed through. Men of reason are forced to compromise with men of emotion. No single political group can control the whole machinery of government. This is not the best way to realize a logically constant policy, but it may be a fortunate thing in a country so diversified as is the United States."[3]

The executive budget is, among other things, one concrete formulation of the government's economic program. The entire budget, in its revenue and expenditure proposals, is itself an important part of that program. While single items in the budget may represent important economic programs, the whole budget is more than the sum of its parts in that it has separate significance. The larger the budget, for example, regardless of the items that make it up, the larger is the government's influence on the distribution of income. Taking from some and giving to others, the budget is a distinct factor in income distribution. Determination with respect to particular expenditure items, of course, is a further factor in distribution; so, too, with respect to the features of the tax program.

This is not to say, however, that a 35 or 40 billion dollar budget is a 35 or 40 billion dollar tool for the management of the economy. Only that part of the budget which is manageable is a tool of management. Any optional increase in the budget is a part of the tool, and the amount of optional increases possible at any particular time cannot be ascertained

[3] *Loc. cit. supra* in note 2.

except by trial. Search for an optional decrease limit would reveal a firmer figure. The Eightieth Congress, in its first session, may be said to have engaged in that search and to have found the limit below which it could not go. President Truman attributed to Congress a reduction in expenditures for the fiscal year 1948 of a little more than two billion dollars, and this figure is probably as accurate as any such figure can be. This was the size in fiscal 1948 of the budgetary tool for retrenchment as an economic policy.

Congressional handling of the Marshall Plan suggests, and one may believe, that budgetary flexibility is always greater with respect to increases than with respect to decreases. For purposes of our discussion, six or eight billion dollars may be regarded as the present flexible factor in the budget. The determination of budgetary items and totals within that range constitutes a very large part of the conscious management of the government's economic program.[4]

In a general way, the area of flexibility for fiscal 1948 was thoroughly explored at the presidential and congressional levels; and this is normally the fact. With respect to a good many smaller matters, no doubt, the recommendations of the Budget Bureau were determining, and some of those matters were determined within the Bureau at each of four successive levels below the director. Some of the determinations are routine, in line with established practice. Some represent acceptance of departmental requests that the Budget Bureau examiners have been unable to find vulnerable. Some are non-controversial, once an over-all limit has been fixed for the asking department. Some are concessions wrung from the departments. Some are the product of superior estimating techniques. Some are enforcements of congressional attitudes expressed previously or recognized at the time. And some represent adjustments secured by bringing competing or complementary agency activities into focus.

This process of examination, review, and determination by the Budget Bureau may involve as much as a twenty or twenty-five per cent reduction below the estimates of the federal agencies. But perhaps only five per cent or so of this reduction would be achieved by the Bureau without accompanying exercise of presidential authority. Even the five per cent would be dubious without the President's backing. In terms of money, the Bureau's rôle exercised solely in its own name may be one of mere whittling. Its larger significance is preventive, corrective, and balancing. Its constant presence, its expertness, its ability to find "soft spots"—these things make for real modifications in estimates for which there can never

[4] Another uncertain range of flexibility is in the area of presidential determination of amounts to request of Congress. Changes in his requests frequently would influence Congress, but his requests tend to anticipate congressional action too—to find the points around which agreement will occur.

be any mathematical measure. But its greatest importance is in its service to the President, identifying and clarifying issues, analyzing problems, proposing alternatives.

In this activity, not the least important element is the weighing of the forces behind the estimates, their sheer power, the depth and nature and occasion for the convictions of necessity. The budget is made not merely by technical processes; it is made in a field where mighty forces contend over it. It is not made in a public arena, but the public is somehow well represented. This is one of the most mystifying of governmental phenomena. The test is in the fact that year after year the estimates that go to Congress closely approximate the appropriations and authorizations that finally emerge from that political furnace. Yet only a handful of political officials participate in budget-making—the heads of departments and other agencies, the director and assistant director of the Budget Bureau, and the President.

Important to this result is the process of administrative appeal by which matters are carried upward for decision, according to the sharpness of difference or the depth of feeling in the various camps. The process, of course, does not stop at the White House. It goes on for months every year in Congress, and this affects all of its earlier phases. It is a process that strains the hearts and nerves of thousands who participate in it. The right of appeal is ever in the background. Yet the certainty of a battle with strong men well armed with fact and following insures survival only to the politically fit. The strength that contends is not merely personal strength; it is the strength that comes from known support of many citizens for the expressed position. The President can stand firm when he knows that to weaken would put him in a position vulnerable to congressional attack. The President and Congress alike can stand firm when they are convinced of popular support, current or potential. Interpretation of how the public will respond is of the essence to their political survival. In the end, they come to positions far from irreconcilable.

The administrative agencies with their many different programs are representative of citizens who are interested in particular programs. Increasingly, these agencies are spread over the country, working with citizens concerned, reacting to citizen reactions, modifying their actions, undergoing restraint, finding out what is not liked. To field offices come millions of callers and millions of letters, to Washington come tens of millions of letters and many powerful callers. The newspapers, the opposition party, radio commentators, and competing interest groups join constantly in one thing—trying to find weaknesses, starting opposition, seeking correction and new action. In various agencies and at varying levels in all agencies, these forces of interest come into various *foci;* through all of the agencies together there is achieved a major focus.

In this political process, the administrative personnel is in a special way representative of the large public, and a little something more. Experts both in and out of government make a contribution to leadership. No single expert determines very much, but he may influence a good deal. Few people in Washington by themselves determine very much of anything, and in so far as they do, they do it tentatively, subject to appeal, to criticism, and to change, or in awareness of sufficient support.

V

Emphasis has been given to the political character of the Budget Bureau's function because the Bureau usually is considered more exclusively in terms of its technical and planning work. But the significance of the Bureau lies in the fact that it has modified the political processes by injecting into them a greater proportion of planning. What it has done has been politically controlled and politically accepted, yet it has made for much better integrated policy. A part of what has been described in political terms could also be called administrative integration. Altogether, the influence of economists and other experts has been enhanced, with no impairment of democratic and political realities. In a less vivid way, and generally for shorter periods of time, many other formal arrangements have been developed within and without the departments to contribute to the same general ends.

The planning and integration of economic policy within the executive branch involves, of course, larger and more systematic use of economists. This, in turn, entails recognition and use of more varieties of economists capable of serving at successive levels in dealing with matters of increasingly complex relationships, and capable especially of dealing at or near top levels with economic policy in terms of administrative necessities on the one hand and political realities and responsibilities on the other. At such points, breadth, flexibility, imagination, persuasiveness, and political sense and ingenuity become very important qualifications.

The play afforded to contributions of the economist is in considerable degree dependent upon these personal attributes. It is further dependent upon history and custom; both govern the political and administrative weight given to this kind of expertise. It depends very greatly also on social conditions at a given time. Whenever general leadership has exceptional scope, economic leadership may have a corresponding increase in scope. Whenever general leadership is reduced in scope, economic leadership will have reduced scope. In these terms, for example, one may expect the influence of the President's new Council of Economic Advisers to grow very quickly some years hence when conditions call for it and when the Council has a sufficiently impressive record.

Integration of economic policy is dependent upon integration of politi-

cal leadership and administrative integration generally. If machinery is inadequate for the translation of special-interest demands into public-interest policy, in the executive branch, in the legislative branch, or in both branches, economic policy cannot be sufficiently integrated. Special machinery for integration can be most effective if it is designed principally as incident to general machinery for integration of policy and administration. The kind and amount of economic machinery, and the way in which it is fitted in, are matters of importance.

A tendency to separate economic machinery too much from the general machinery of government should be resisted. A tendency to relate it to such other machinery too far toward the end of the assembly line, or to establish it altogether apart from the assembly line, is often observed. In the one location, it is more likely to affect the paint job and ornamental do-dads than to influence basic design. In the other location, it becomes a voice in a temple, uttering pious words. In the end, maximum effectiveness depends upon institutional arrangements.

The government's economic program is not one thing, but many things, not nearly all consistent, but in the large serving many interests and moving toward objectives rather clearly identifiable if one is not too technical. The government doing many things, not all consistent, is serving a society doing many things, not all consistent. Cherishing the values of pluralism, the government cannot but exemplify them to a considerable degree. Allowing citizens wide areas of choice, sheltering diverse enterprises and interests, giving range to imagination and ingenuity, the government itself cannot be just one thing or have just one policy. It must respond to felt needs, but the wisdom which it has in forming its response, it distills from the totality of the political processes by which it lives.

II. THE RÔLE OF THE COUNCIL OF ECONOMIC ADVISERS

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I

One of the interesting developments in American government during recent years has been the increasing attention given to the problem of coördinating the economic policies and programs of the federal government. As the United States began to mobilize for military defense and later was confronted by the exigencies of global warfare, integration be-

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came an issue of paramount importance and gave rise to the creation of a wide variety of coördinating agencies. Most of these, like the Office of Production Management, the War Production Board, and the Office of Economic Stabilization, were set up by executive order. Others, like the eventual Office of War Mobilization and Reconversion, were established by statute. Some were super-coördinators, operating in the stratosphere of national policy. Others, like the Office of Contract Settlement, exercised their coördinating prerogatives on a lower plane. Most of these agencies were created to serve an emergency and, with the passing of the emergency, faded into oblivion. But their integrating activities made an unquestioned contribution to our mobilization for war production, and probably eased the process of postwar reconversion without serious unemployment. Their record suggested to some minds the possibility that similar coördination should be effected in peacetime.

Even while the war was still on, members of Congress, officers of the executive branch, and public-spirited citizens from many walks of life began to ponder the government's rôle in dealing with the long-range problem of avoiding postwar depression and maintaining a stable national economy. Some thought in 1944 that the legislation setting up the Office of War Mobilization and Reconversion should be extended to give this agency certain permanent responsibilities extending beyond the immediate period of transition from war to peace. The suggestion was rejected by Congress. It was felt that the transitional problems of reconversion required a specialized agency, and that the longer-range economic problems should be dealt with by other means.

In 1945, such an approach was undertaken. Legislation was proposed in Congress that placed primary emphasis on a stirring declaration of policy pledging the government to "assure continuing full employment."[1] Machinery to carry out this policy took the form of an annual presidential message which was to contain the President's economic program, and, when transmitted to Congress, to be evaluated by a special joint committee of Congress. These proposals evoked widespread comment and debate in both branches of Congress and throughout the country. As a result, the legislation underwent a number of important changes as it progressed through the congressional mill.

First of all, the declaration of policy was remolded. The objective was more precisely stated as the attainment of "conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work." The aim was

[1] The Full Employment Bill of 1945 was introduced by Senators James E. Murray (Montana), Robert F. Wagner (New York), Elmer D. Thomas (Utah), and Joseph E. O'Mahoney (Wyoming), and Representative Wright Patman (Texas); it was subsequently co-sponsored by many other senators and representatives.

also broadened to include "maximum employment, production, and purchasing power." In place of specific emphasis upon public spending as a method of achieving the objective, it was provided that the government "coördinate and utilize all its plans, functions, and resources." Stronger recognition was given to the promotion of "free competitive enterprise and the general welfare," the need for "the assistance and coöperation of industry, agriculture, labor, and state and local governments," and the importance of other considerations of national policy.[2] Second, there emerged a realization that additional machinery was needed to assist the President in the analysis of economic trends and in the formulation of economic policies. This development crystallized most rapidly in the House of Representatives, whose Committee on Executive Expenditures first proposed the creation of a Council of Economic Advisers as a staff of professional economists in the Executive Office of the President.

A little more than a year after the original legislation was introduced, a redrafted measure received the approval of the Senate by voice vote. It was passed in the House by a vote of 320 to 84. On February 20, 1946, it was signed by President Truman, who stated that it expressed "a commitment by the government to the people—a commitment to take any and all measures necessary for a healthy economy." The Employment Act of 1946 has been hailed as "one of the most significant enacted by Congress in this century,"[3] and as "the most significant administrative implementation of the formulation of public policy since establishment of the federal budget system a quarter of a century earlier."[4]

II

Under the Employment Act, the President now transmits to Congress at the beginning of each regular session a comprehensive economic report containing his analysis of economic conditions and trends; desirable goals for employment, production, and purchasing power; and his program for attaining these goals, both immediate steps and longer perspectives. Other similar reports he transmits at his discretion. Three reports of this type have so far been transmitted: the economic report of January, 1947; the midyear economic report of July, 1947; and the economic report of January, 1948.[5] These documents have gone far beyond any previous presi-

[2] For a fuller discussion of the declaration of policy in the Employment Act of 1946, see Part I of the Council of Economic Advisers' *First Annual Report to the President*, Dec., 1946.

[3] Walter Lippmann, in *Washington Post*, Dec. 26, 1946.

[4] Senator Ralph E. Flanders, "Administering the Employment Act—The First Year," *Public Administration Review*, Vol. 7 (1947), p. 221.

[5] Public interest in these reports, particularly on the part of teachers of economics and political science, has been so great that they have been reprinted by a private publisher (Reynal and Hitchcock) in a single bound volume entitled *The Economic Reports of the President* (New York, 1948).

dential messages in laying before Congress and the country a full picture of what has been happening to the American economy, and in developing a comprehensive national policy geared to the maintenance of prosperity. They are increasingly being looked to as a source of fundamental economic information and as a focal point for public debate of the government's rôle in economic affairs.

To facilitate the preparation of the annual economic report and its adequate consideration by Congress, the act established two new agencies in the government. In the executive branch, there is the Council of Economic Advisers,[6] with the function of helping the President prepare his economic reports and of providing continuing advice on economic trends and national economic policies. In the legislative branch, there has been set up a Joint Committee on the Economic Report,[7] composed of seven members of each house, whose duty it is to evaluate the President's economic report and advise Congress on broad economic policy.

These two new instrumentalities of government are unique institutions. The Council of Economic Advisers has not been fashioned after the likeness of any of the war and reconversion agencies. It differs both in the breadth of its assignment and in its freedom from administrative responsibilities. It differs from the National Resources Planning Board[8] in many respects—chiefly in that the Council does not engage in the planning of public works and resources programs, but rather serves as staff adviser to the President on broad economic policies for stabilizing prosperity. In the legislative sphere, the Joint Committee on the Economic Report has no parallel among any of the traditional comittees of Congress. As organs elaborating but in no way altering our form of government, both the Council and the Joint Committee have to learn how best they can serve and be used by the President and by Congress. They face manifold problems of fitting themselves into a complex governmental structure. Each must look forward to a long period of growth and maturing.[9]

It is now possible, however, in the light of the experience gained during

[6] The members are Edwin G. Nourse, chairman; Leon H. Keyserling, vice-chairman; and John D. Clark.

[7] The members are: Senators Robert A. Taft (Ohio), Joseph H. Ball (Minnesota), Ralph E. Flanders (Vermont), Arthur V. Watkins (Utah), Joseph C. O'Mahoney (Wyoming), Francis J. Myers (Pennsylvania), John Sparkman (Alabama), and Representatives Jesse P. Wolcott (Michigan), George H. Bender (Ohio), Robert F. Rich (Pennsylvania), Christian A. Herter (Massachusetts), Edward J. Hart (New Jersey), Wright Patman (Texas), Walter B. Huber (Ohio).

[8] Established on executive initiative in 1939 (supplanting the National Resources Committee, which had been set up in 1935) and abolished by an appropriation act in 1943.

[9] For an interesting set of proposals concerning the future operations of both, see Flanders, *loc. cit. supra* in note 4.

a year and a half under the Employment Act to see something of the emerging rôles of these agencies. As for the Council of Economic Advisers, the following five features may be noted: (1) The Council's function is to assist the President. (2) It is strictly an advisory body, not an administrative agency. (3) Its advice is in terms of economics, not politics. (4) Its work is based on realities, not abstracted from institutional and psychological conceptions. (5) Its functions call for a small organization, not a large or greatly expanding staff. These points will now be discussed in detail.

III

The Council's function is to assist the President. The Employment Act spells out in considerable detail the President's relationship with the Council. First of all, it is a Council of Economic Advisers *to the President.* Its analyses of economic trends and developments are to be prepared for his benefit. All Council reports—its annual reports in December of each year,[10] special reports requested by the President,[11] or reports prepared on its own initiative—are to be transmitted to the President, none directly to Congress. It is to "assist and advise the President" in the preparation of his economic reports to Congress. Furthermore, the act specifically establishes the Council "in the Executive Office of the President," thereby making the first statutory reference to this Office.

During the evolution of the Employment Act in Congress, many alternative proposals were considered. One idea was to have the economic advisory function handled at the cabinet level through a committee of cabinet members, as was provided in the ill-fated Employment Stabilization Act of 1931. This approach was accepted only in the very limited sense that "the compensation provided for the [Council] members—$15,000 per annum—being the same as that paid to the President's Cabinet—will make their office one of equal dignity to the Cabinet office."[12] It was felt that an agency above the departmental level was needed to pull together the multitudinous reports and proposals emanating from the various departments.

Another proposal was for an economic commission that would serve both the President and Congress and be composed of presidential appointees, members of Congress, and representatives of the public. It was also proposed to create an independent agency responsible to Congress

[10] See its *First Annual Report to the President,* Dec., 1946; and its *Second Annual Report to the President,* Dec., 1947.

[11] See *The Impact of Foreign Aid upon the Domestic Economy,* a report to the President by the Council of Economic Advisers, Oct., 1947.

[12] House Committee on Expenditures in the Executive Departments, Report No. 1334 on Employment-Production Act (Dec. 5, 1945), p. 9.

rather than the President, or a quasi-public body similar to the Federal Reserve Board. All recommendations of this type were rejected by Congress. The framers of the act approached their task in terms of developing governmental machinery that would fully gear into the constitutional separation of powers between the legislative and executive branches. Rather than ignore this separation or attempt to bestride it through the creation of a composite or in-between body, they chose to set up a council to advise the President and a joint committee to perform a similar function for Congress.

The development of closer relations between the two branches of government was not sought through an agency that would somehow bring both branches together. Instead, the President is to prepare an economic report that will serve as a starting point for congressional action. This relationship was described as follows in the Council's *First Annual Report to the President:* "The outstanding feature of this procedure is that it tends to unite the President and Congress through mutual consideration of national economic policy as a coördinated whole instead of proceeding in an unrelated piecemeal fashion. It guards against the danger that economic legislation shall be incomplete, inconsistent, or directly conflicting, much as the creation of the Bureau of the Budget 25 years ago undertook to remedy the haphazard process of estimating fiscal needs and allocating public revenues."

It would be a mistake to assume, however, that the Council's work is of no assistance to Congress. In an important sense, one of the constitutional responsibilities of the President himself is to advise Congress—by giving it from time to time "information on the state of the Union" and recommending to it "such measures as he shall judge necessary and expedient," as the Constitution provides. The work performed by the Council in helping the President assemble information and formulate recommendations therefore has an indirect but important bearing upon congressional operations.

In fact, the analytical and factual materials assembled by the Council for use in the President's economic reports have been welcomed as an aid in congressional deliberations, even by legislators who have disagreed with specific presidential proposals. Moreover, individual members of the Council's staff have often consulted with members of Congress and developed an interchange of views that has been mutually helpful. Finally, work in process by the staff of the Council is made accessible to staff members of the Joint Committee, and the Committee's staff members are invited to consultative meetings in which the Council at periodic intervals seeks the advice and suggestions of representatives of management, labor, agriculture, and consumers.

IV

The Council is strictly an advisory body, not an administrative agency. The purpose of the Employment Act in setting up the Council was to have an agency that would concentrate on advising the President and not be sidetracked or diverted by other responsibilities. This is the basic reason why a new organization was established instead of having the economic advisory function added to the management tasks of the Budget Bureau, or to the coördinating and expediting job of the then existing Office of War Mobilization and Reconversion. Moreover, it was felt that the President would receive better balanced and therefore more useful advice from a three-man group than from a single official.

Under the act, the Council has no administrative powers or responsibilities. It does not issue directives to other agencies. It does not supervise the execution of presidential policies. It does not engage in activities to build up popular support for the President's program. It has not taken on the task of explaining the President's proposals before congressional committees. After the President has translated the Council's material into an action program, he turns to other agencies to do what may be needed to get the wheels of government rolling.

Nevertheless, the Council's work in preparing materials for the President's use has an unquestioned impact of a coördinating and educational character. Before presenting any important report to the President, the Council solicits the comments and views of agency heads. This, by itself, serves to develop a point of view extending beyond the narrow jurisdictions of individual agencies. Moreover, the Council has worked very closely with the Budget Bureau. This agency has been able to provide the Council with invaluable assistance in obtaining information on government programs. The Council, in turn, has provided the kind of economic analysis essential to the development of a sound budgetary policy. In consulting with groups outside the government, the Council has not only called their attention to the significance of basic economic trends and emerging problems of national economic policy, but also invited their comments and suggestions.

In addition, the President has initiated the practice of having the Council appear each quarter at a cabinet meeting to present for discussion a survey of economic developments and problems. This is a significant implementation in the operation of the American cabinet system. At the end of the first and third quarters of 1947, the Council brought to the President a confidential memorandum describing economic developments since the last economic report to Congress. At the end of the second quarter, a preview of the midyear economic report of the President was presented. The result of the Council's participation in cabinet meetings has

been to help bring the thinking of department heads to a more unified consideration of the central economic problems faced by the President.

V

The Council's advice is in terms of economics, not politics. The President has always had ample sources of *political* advice. In setting up the Council, Congress saw no need for adding another. It did see the need for establishing an agency on the professional plane to place before the President the best advice obtainable from objective economic analysis inside and outside the government. Accordingly, the act stresses not only the economic character of the Council's advice to the President, but also the professional qualifications of Council members. Each is to be a man of "training, experience, and attainments." Each is to be exceptionally qualified "to analyze and interpret economic developments, to appraise programs and activities of the government . . . , and to formulate and recommend national economic policy to promote employment, production, and purchasing power under free competitive enterprise."[13]

The present Council has been careful to operate on a strictly nonpolitical plane. Whatever the personal views of its members on political issues, the Council does not become a vehicle for expressing them. Even appearance before the Joint Committee on the Economic Report or other congressional committees to discuss economic issues under legislative consideration has been eschewed. The chairman of the Council has taken the position that if the precedent of such appearance is established, the time would come sooner or later when Council members would be asked to testify on matters on which the President has seen fit to take a position definitely contrary to their advice. This would present Council members with the alternative of arguing for the President's position regardless of their own professional convictions or, on the other hand, of arguing against a policy recommended by the President. The latter, in the chairman's judgment, would introduce an element of strain between the Council and the chief executive, and impair the relationship under which the Council freely brings objective analyses of economic questions for his consideration prior to the determination of his position.[14]

[13] The chairman of the Council has presented his interpretation of the economic services which the Council ought to render in a paper entitled "Economics in the Public Service," at a meeting of the American Economic Association, Jan. 23, 1947. See *American Economic Review, Proceedings*, Vol. 37 (1947).

[14] For reasons not developed here, the other two members of the Council "feel that both the President and the members of the Joint Committee, although occupying 'political' office, are strongly predisposed to draw upon objective economic analysis in fulfilling their defined functions under the Employment Act. They feel that, because the Council was established to assist the President in the preparation of his Economic Reports, the intent of the act will best be served if the Council extends

The staff of the Council also has been established on a high professional level; not one of its employees has been selected for political reasons. Fortunately, the Council has not been in the position of having to resist political pressure on appointments. The professional character of the Council's assignment has been so widely accepted that no pressures of this type have been exerted.

VI

The Council's work is based on realities, not abstracted from institutional and psychological conceptions. Economic charts and statistics can provide only a one-sided picture of the operations of the American economy. The decisions that determine what the charts will show are made by thousands of business men, farmers, labor leaders, consumers, and state and local governments. Any attempt to appraise economic trends and to formulate policies without consulting closely with the representatives of these groups and individual members would be appropriate only in an economy where all the decisions were made by the government. Within the framework of the American economy, it would constitute an ivory-tower neglect of basic realities.

In creating the Office of War Mobilization and Reconversion, Congress dealt with this problem by providing for an advisory board composed of twelve members, nine of whom were to have had experience in business management, in matters relating to labor, and in agriculture. In framing the Employment Act, however, Congress allowed a more flexible approach. The act provides that the Council "may constitute such advisory committees and may consult with such representatives of industry, agriculture, labor, consumers, state and local governments, and other groups as it deems advisable." Under this provision, the Council may exercise its own discretion as to the number and scope of any advisory committees.

Soon after the Council was appointed, it discussed the problem of consultation with members of the leading organizations representing industry, agriculture, and labor. Out of its discussions there has developed a broad network of separate advisory committees. While this means an exceedingly heavy schedule for the Council, the views of each group get far more attention than could otherwise be achieved. Only one of the participating organizations has proposed that the Council set up an over-all

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coöperative professional assistance to the Joint Committee as, in its turn under the act, it comes to consider the fundamental materials contained in the President's Economic Reports as transmitted to the Congress." In Senator Flanders' article (*loc. cit. supra* in note 4), the position is taken that the Council, in addition to the tasks specifically assigned it by the Employment Act, should also "assist the Congress in any way necessary to secure the adoption of the President's economic programs." *Ibid.*, p. 224.

advisory group. But the proposal merely suggested joint meetings *in addition to* the present schedule of separate meetings.

The Council now meets three or four times a year with a business advisory committee, an agricultural advisory committee, and three committees representing the American Federation of Labor, the Congress of Industrial Organizations, and the Railway Labor Executives Association, respectively. It also meets twice a year with a consumer advisory committee composed of leaders from various women's, religious, professional, consumer, and public-interest organizations. It is now developing regular relationships with the associations representing state and local governments.

At these meetings, the Council has obtained valuable information and advice on basic problems to be dealt with in future economic reports, and valuable reactions to the previous reports. The agenda for each meeting is worked out jointly between the Council and members of the committees. The Joint Committee on the Economic Report is kept fully advised of the Council's program of consultation, and members of the Joint Committee's staff are invited to attend the Council's meetings with its advisory groups.

But the Council's contacts are not limited to these advisory committees. It has an open-door policy on consultation. Individual representatives of important companies or organizations eager to be heard by the Council are given a chance to express their views so far as time permits. Or, on occasion, executives of such organizations are invited to sit down at the Council table and examine a pending issue from all sides. The Council's relations with the economics profession also have been close. On the problem of monopoly and restrictive practices, the Council has initiated consultation with the outstanding professional economists working in this field. A similar procedure will be followed in due time on other problems.

VII

The Council's functions call for a small organization, not a large or greatly expanding staff. In June, 1947, when the Council appeared before the Senate Appropriations Committee, Senator Kenneth McKellar commented upon the vast scope of the Council's task in contrast with the small number of its employees. He read into the record a full description of the materials needed for the economic report of the President. "It seems to me that it would take more than seventeen employees," he remarked jocularly. "It looks to me as if that would take the whole government." Actually, the work of the Council does call upon the resources of "the whole government." This is recognized in the provision of the act that directs the Council to "utilize the service, facilities, and information (including statistical information) of other government agencies."

One way of insuring the fullest possible use of the resources provided

by other agencies is limitation of the Council's staff to a small organization with no inherent possibilities, let alone intentions, of duplicating work done elsewhere in the government. By June 30, 1948, the Council intended to increase the number of its economists very little beyond the figure mentioned by Senator McKellar. The staff of seventeen economists and a few part-time professional employees would be expanded to twenty-two. The total number of employees, including all secretarial and administrative personnel, would reach forty-eight—with one additional position divided among a number of non-governmental experts on a part-time basis.

The total cost to the taxpayer would be only a microscopic fraction of the savings made if the Council's work were to succeed even to a small extent in achieving a better coördination of federal policies or in offsetting mass unemployment and depression. The Council's request covering the fiscal year 1948 was for $400,000, and the actual appropriation was $350,000. Its budget request for the subsequent fiscal year was likewise $400,000. Of this sum, $318,000 was to be allocated for the payroll, including the Council members—$27,000 below the $345,000 ceiling which the act places upon personnel expenditures. The House cut the Council's budget to $300,000.[15] The Senate raised the figure to $350,000.[16]

Operating within the framework of the strictest possible economy, the Council selects its staff with great care. Its principal economists must be persons of mature judgment-making ability who have the capacity and stature to deal directly with key federal officials and top representatives of economic groups, state and local governments, and private research organizations. Each principal economist must have great professional competence and understanding of the workings of the economy as a whole and in its interrelationships. Each must have a high degree of specialized knowledge of the problems, methods, and personnel of one of the following fields: labor market and labor relations; plant capacity, investment, and management; agriculture and food; flow of income, goods and services;

[15] The House committee explained this report as follows: "The committee has allowed $300,000 for the Council of Economic Advisers, a reduction of $50,000 below the appropriation for 1948 and $100,000 below the estimates for 1949. This agency has been the subject of searching inquiry on the part of the committee, many of the members being dubious as to its value. It appears that practically all of the information which the Council has used has been developed by other agencies of the government and could have been made available in useful form directly to the President by the agency originating it. There is little indication that, to date, the efforts of the Council in endeavoring to coördinate and interpret data have produced important results. However, this is a relatively new organization and the committee has made provision for it for another year and expects to follow its activities closely."

[16] The report of the Senate Appropriations Committee stated: "The committee is of the opinion that the work of the Council is of real importance and value to the government in assisting in the presentation of a coördinated picture of the national economy." The next move is that of the conference committee.

price relations and price policies; international economic relations; development of human and material resources; construction and public works; veterans, social security, and welfare; taxation, debt, and banking. While each top staff member is assigned to one of these fields, working methods have been evolved to deal with problems that cut across two or more fields.

Assistance for these staff members is very limited. The Council's feeling is that basic research work should be done in the various government agencies and that most of the assistance needed can be obtained from them. For this purpose, a number of informal interdepartmental committees, made up of economists from various agencies, have been created.

The Council also uses the facilities of private research institutions. Members of the Council and its staff have been drawing upon special studies prepared by the National Bureau of Economic Research, the Twentieth Century Fund, the Brookings Institution, the National Industrial Conference Board, and other private research agencies. Consideration is being given also to entering into contracts with one or two of these bodies or with university groups for the performance of certain research tasks which otherwise would not be undertaken, though needed in the light of the objectives of the Employment Act.

In order to facilitate direction of staff effort and to make the best use of the capacities of individual Council members, a flexible division of labor among the Council members themselves has been developed. This has meant a parceling out, not of staff members, but of subjects. Sometimes a staff member consults with two members of the Council on the work he has under way—each on a different subject. Decisions about recommendations to be transmitted to the President are always made on the basis of a meeting of minds among the members of the Council.

VIII

In December, 1945—only a little more than two years ago—it was possible to say truly that "the federal government thus far lacks an organizational unit capable of mobilizing all government resources and efforts to the achievement of an accepted end."[17] At the time this was written, the Employment Act was in an early legislative stage. There had not yet emerged within Congress—or, for that matter, outside of Congress—any firm or clear-cut conception of precisely what kind of organizational unit was needed.

Today, a large part of the gap pointed out by many students of political science and public administration is being filled by an agency that has

[17] John J. Corson, "Organizing Government Staff Services for Full Employment," in this REVIEW, Vol. 39 (1945), p. 1169.

been established by law and that already has achieved an important degree of recognition within the structure of the federal government and by the public. As the Council gains in experience and maturity, it may be expected to demonstrate ever-increasing usefulness in assisting the President in "mobilizing all government resources and efforts" to achieve the end of "maximum employment, production, and purchasing power."

III. THE EXPERIENCE OF OTHER COUNTRIES

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I

Formulation of national economic programs in other countries is generally conditioned today by domestic and external urgencies of crisis proportions. The evolving pattern is one of rapid change, administrative shifts, and internal conflict. Accurate reporting of governmental machinery thus is a difficult undertaking.

This survey is limited to countries which practice what we know as political democracy. Principal reference is made to the experience of Great Britain and France, with some attention to Australia, Canada, and the Scandinavian democracies. Czechoslovakia is mentioned also. The economic basis of politics in these countries has produced considerable diversity of aims and methods in the formulation of national economic programs. Yet there are some common features worth emphasizing. What are these areas of agreement?

First, the countries mentioned have acted on the lessons of the thirties.[1] All reject an absolutely free economy. There is frank recognition of the necessity for government planning. Both the political right and the political left in most of the countries share this conviction. The electorates are becoming increasingly program-conscious.

Second, none of the countries is committed to a belief that political democracy must be tied to a specified economic system. Experimentation with economic programs ranges from mild forms of socio-capitalism to virtually complete state socialism. Even the more conservative countries like Canada and Australia do not show any deep distrust of governmental

* Mr. Davey, executive director of the Institute of Economic Affairs, wishes to express his appreciation to Mrs. Alison E. Carter for her assistance in research for this article.

[1] For a thoughtful economic analysis of the thirties, see H. W. Arndt, *The Economic Lessons of the Nineteen-Thirties* (London, Royal Institute of International Affairs, 1944).

authority. All are searching for a realistic balance between public and private enterprise in a mixed economy.[2]

Third, planning for full employment as the long-range aim of national economic policy is common to the several governments. Most of them had formally acknowledged their responsibility for full employment well before the end of World War II.[3] The task of adapting crisis programs to long-term plans for economic development is now their perplexing current obligation.

Fourth, and perhaps most important, determination persists to prevent planned economic action from impairing democratic political institutions. Legislative bodies continue to be virile. Parliamentary responsibility has been maintained. Political leaders are convinced that democratic planning can be both efficient and responsible.

Every country is faced by the inevitable legacy of war, which includes such serious and interrelated problems as (1) domestic inflation, (2) labor and material shortages, (3) conflict between capital and consumption requirements, (4) adverse impact of external forces on domestic economic objectives, and (5) internal tensions arising from government economic policies, or as a product of mounting international political conflict. These problems have produced national economic policies sharply distinguished from those pursued by the United States. There is, of course, a direct relationship between the severity of the economic crisis and the incidence of government regulation. Countries like Switzerland[4] and Australia,[5] which are—comparatively speaking—economically stable, do not exhibit

[2] Toynbee has made some cogent observations on this point in a recent article. He writes: "Great Britain and her West European neighbors are each trying to arrive at a working compromise—suited to their own economic conditions here and now, and subject to modification in either direction as these conditions may change for better or for worse—between unrestricted free enterprise and unlimited socialism. . . . In real life, every social system that can be observed at first hand or reconstructed from records is a mixed system, lying at some point between the two theoretical poles of undiluted socialism and undiluted free enterprise." Arnold J. Toynbee, "The International Outlook," *International Affairs*, Vol. 23 (Oct., 1947), pp. 475–476.

[3] Best known is the famous British White Paper on *Employment Policy*, issued by the Churchill Government in May, 1944 (Cmd. 6527). For Canada, see Department of Reconstruction, *Employment and Income, with Special Reference to the Initial Period of Reconstruction* (Ottawa, Aug., 1945). For Australia, see Commonwealth Parliament, *Full Employment in Australia* (Canberra, May,1945). For Sweden, see report of a Government Postwar Economic Planning Commission submitted in May, 1944: Finansdepartementet, *Utredningar angaende ekonomisk efterkrigsplanering* (Stockholm, 1944).

[4] Even Switzerland has recently found it essential to extend government control over economic affairs. See "The Extension of State Control in Switzerland," *The World Today*, Vol. 3 (1947), pp. 501ff.

[5] An excellent recent study is E. Ronald Walker, *The Australian Economy in War and Reconstruction* (New York, 1947).

a trend toward pervasive control. On the other hand, France[6] and Czechoslovakia[7] have required sweeping public intervention.

II

Great Britain's experiment in economic planning holds perhaps the most interest for us. In broadest outline, the national economic program has a three-fold objective: (1) stabilization of the domestic economy through selective nationalization of key industries, combined with extensive direction of the flow of private investment and economic development; (2) rebuilding of the nation's export position to a point where Britain can become sufficiently strong to acquire unaided the requisite volume of imports to sustain her internal economy at full-employment levels; and (3) provision of a greatly expanded system of social and health benefits in line with the main proposals of the Beveridge Plan. The economic details and implications of Britain's program, or that of any other country, are beyond the scope of this paper.[8] We are here concerned primarily with the governmental machinery for the formulation of national economic programs.

Initiative and responsibility for British planning rests in the executive branch. Within the Cabinet and the departments, a highly integrated planning machinery has been developed. The character and composition of planning agencies have shifted considerably since the Labor Government came to power. But the central concept of ministerial responsibility and accountability has remained intact.

One observes a growing awareness of the importance of "national economic budgets" in the formulation of over-all economic policy. The rôle of the Chancellor of the Exchequer has thus expanded considerably from one of essentially negative restraint of spending to a more positively influential one of advising expenditures in certain categories as determined by the findings of the national economic budget. Central planning and budgeting are closely coördinated in Britain and in the other countries here considered.[9]

[6] André Philip, "France and the Economic Recovery of Europe," *Foreign Affairs*, Vol. 26 (Jan., 1948), pp. 325 ff.

[7] For a thorough statement on Czech nationalization policies, see Samuel L. Sharp, *Nationalization of Key Industries in Eastern Europe* (Washington, 1946). Our survey considers only conditions before the March *coup d'état* in Czechoslovakia.

[8] Three British White Papers are of considerable importance: *Economic Survey for 1947* (Cmd. 7046, Feb., 1947); *The National Income and Expenditure of the United Kingdom, 1938 to 1946* (Cmd. 7099, Apr., 1947); and *Statement on the Economic Considerations Affecting Relations between Employers and Workers* (Cmd. 7018, Jan., 1947). For recent analysis of Britain's economic situation, see Alexander L. Hood, "Great Britain's Economic Problem," *Harvard Business Review*, Vol. 25 (Autumn, 1947), pp. 625 ff.

[9] See also F. G. Lee and R. Stevens, "Coördinating Policies and Operations in

The basic planning agency in Great Britain is the Economic Planning Board, which began operations in July, 1947.[10] It is chaired by a chief planning officer or, occasionally, by the Lord President of the Council. The other members are three department heads (of the Board of Trade, the Ministry of Labor, and the Ministry of Supply), three members of the planning staff, the director of the Economic Section of the Cabinet Office, and six interested representatives nominated by industry and labor.[11] Representation of industry and labor on this agency is especially worthy of note. The British Cabinet Secretariat performs important functions of administrative coördination; its Economic Section and the Central Statistical Office are inconspicuous but important staff units.

The Planning Board's principal function is to develop long-term plans for use of the country's manpower and resources. The chief planning officer works directly under the Lord President of the Council, and has access to all department heads concerned with production.[12] Final decisions on policy, however, are made by the Cabinet.

The new austerity program[13] has resulted in further centralization of authority under Sir Stafford Cripps as Britain's economic "czar." The aim is to achieve a close alignment between internal and external economic policies as Britain's "battle of the balance of payments" reaches the decisive stage.[14] A new ministerial committee on economic planning has been established with the Prime Minister himself as chairman.[15] It will consider principal issues requiring coördination of foreign and domestic economic policies. Sir Stafford's powers for directing production are sweeping in nature, but subject to check by the new ministerial committee and, of course, by Parliament. His position as Chancellor of the Exchequer, assumed immediately after the resignation of Hugh Dalton, further correlates central planning and central budgeting. More recently, he has created the post of Secretary of Economic Affairs in the Treasury, thus combining fiscal and economic affairs.

Although planning machinery is highly centralized in the executive branch, the Labor Government has not lost sight of the principle of parlia-

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the Government of the United Kingdom," *Public Administration Review*, Vol. 6 (Autumn, 1946), pp. 354 ff.

[10] See "The Plan and the Public," *Planning*, Vol. 14, No. 269 (July 25, 1947).

[11] *Ibid.*, p. 48.

[12] See "Report on Britain," *Labor and Industry in Britain*, Vol. 5 (1947), p. 158.

[13] A good summary statement of its details is contained in "Steps to Beat the Crisis," *Labor and Industry in Britain*, Vol. 5 (Nov.–Dec., 1947), pp. 214 ff.

[14] For an economic analysis of the relationship between Britain's trade position and her domestic economic program, see Alfred E. Kahn, "The British Balance of Payments and Problems of Domestic Policy," *Quarterly Journal of Economics*, Vol. 61 (May, 1947), pp. 368 ff.

[15] *New York Times*, Sept. 30, 1947.

mentary responsibility.[16] Those who feel that Parliament has become of secondary importance ignore the true nature of the parliamentary function. Parliament cannot be expected to legislate today in the early meaning of the term. As Mr. Laski has pointed out, the chief function of Parliament is to scrutinize executive policy and to ventilate grievances.[17] Parliament provides a sounding board for discussion of government policy which enables the electorate to make its convictions felt. In the last analysis, Parliament still holds the whip hand over the Cabinet, no matter how broad may be its delegations of power or its grants of rule-making authority.

III

There has apparently been a considerable gap between intent and accomplishment in Britain's use of the consultative process in planning. Certainly no one could take issue with the excellent statement of the requirements of democratic planning contained in the *Economic Survey for 1947*.[18] However, there is still widespread dissatisfaction among industry and labor groups about the Government's failure to take them into its confidence.[19] To date, effective prior consultation has not gone very deep.[20]

Effective industry and labor representation on the Economic Planning Board may be a partial answer to this criticism. Consultation with affected groups is indispensable in policy formation. It is also important to proper communication of national economic policy. The danger of inadequate consultation and communication policies has been ably stated by Sir Oliver Franks:[21]

"The Government does not do the work on which the realization of its programmes depends. The work is done outside Government by managements and workers on whose coöperation the Government must rely for the accomplishment of its policies. But how can this happen if industry and commerce do not know what it

[16] Cf. "Whitehall and Parliament," *Labor and Industry in Britain*, Vol. 4 (1946), pp. 27 ff. See also Sir Henry Bunbury, "Proposed Changes in British Parliamentary Procedure," in this REVIEW, Vol. 40 (Aug., 1946), pp. 740 ff.

[17] Harold J. Laski, "The Parliamentary and Presidential Systems," *Public Administration Review*, Vol. 4 (Autumn, 1944), pp. 347 ff.

[18] *Op. cit. supra* in note 8.

[19] The British National Union of Manufacturers, for example, which represents medium-sized and small manufacturers, expressed keen disappointment at the Government's failure to include it in nomination of industrial representatives to the Economic Planning Board. It expressed gratification at the Government's promise of periodic consultation, but pointed out quite correctly that "there is a wide disparity between consultation on isolated points and full coöperation in evolving main policy." Editorial, "The Planners and the Smaller Manufacturer," *N.U.M. Journal* (Aug., 1947).

[20] See *op. cit. supra* in note 10, p. 50.

[21] Oliver Franks, *Central Planning and Control in War and Peace* (Cambridge, Mass., 1947), p. 34.

is all about? They cannot join in a national enterprise of which they do not know nor work hard for a purpose that has not been explained or commended to them. They can only set about their part in the whole scheme if the programmes are definitely set by Government as [to] what is to be brought about, and if the general plan for the economy from which they flow has been expounded and commended. Only so can the conditions of intelligent participation be realized and unity of purpose made possible among all who contribute to the common plan."

No account of British machinery for formulating national economic programs can ignore developments in nationalization of basic industries.[22] Nationalization is of central importance to the Labor party's economic reforms. Its long-range plans for economic development and full employment are contingent upon the success of nationalization. The nationalization of the Bank of England, coal, civil aviation, telecommunications, railroads, inland waterways, and the London bus and subway system has already been consummated. Before the end of 1948, the British Transport Commission (recently set up to operate the railroads) will also take over interurban bus and truck systems. Nationalization of the electric-power industry has been voted by Parliament, but not yet effected at the time of this writing. Next on the agenda are the gas industry and portions of the iron and steel industry.

The public corporation has been the instrument of British nationalization in all cases.[23] In the more recent nationalization acts, the head of the appropriate department has been given greater authority over the corporation. The principle of ministerial responsibility to Parliament has been maintained in the nationalization program. Initial experience indicated that the responsible department head had not been given sufficient control over his ward to make his accountability to Parliament realistically effective. Further adjustment in the balance of power between responsible political officers and the semi-autonomous public corporations for nationalized industries may be expected. Such adjustment must reflect an understanding that "the public corporation has to combine two different and in some ways conflicting concepts—public responsibility and managerial freedom."[24]

Faced with critical labor shortages, the Government is not at the moment concerned primarily with full-employment policy. In many of its

[22] On British nationalization, see particularly William A. Robson, "The Administration of Nationalized Industries in Britain," *Public Administration Review*, Vol. 7 (Summer, 1947), pp. 161ff.; "Trade Unions under Nationalization," *Labor and Industry in Britain*, Vol. 5 (June, 1947); and "The Coal Board," *The Economist* (Sept. 20, 1947).

[23] See Robson, *loc. cit. supra* in note 22; Arthur D. Angel, "British Use of Public Corporations," *Social Research*, Vol. 14 (Sept., 1947), pp. 321 ff.

[24] "The Public Corporation," *Labor and Industry in Britain*, Vol. 5 (May, 1947), p. 95.

measures since it came to power in July, 1945, the Labor party has had a long-range eye on the necessity for a firm national policy to maintain full employment. Nationalization itself is an indirect but important factor. It widens the area of public investment in which direct control of capital outlays can be exercised.

The Government has also learned to appreciate the utility of fiscal policy as a counter-cyclical agent. It has taken to heart Lord Beveridge's pleas for controlled location of industry and organized mobility of labor as parts of a full-employment policy. His third condition of adequate total outlays seems certain to achieve proper recognition.[25] Great Britain gives evidence of having profited by prewar mistakes in public investment policy.[26]

It is evident that the most appropriate mold for planning machinery has not yet been cast. The pattern remains flexible. British experience points to the following conclusions: (1) Central planning and central budgeting—with a "national economic budget" as the point of departure—must go hand in hand. (2) An agency for national economic planning should make provision for adequate representation of interest groups upon whose coöperation the success of its plans depends. Effective prior consultation must be developed. (3) While centralization of planning authority in the executive branch is necessary, the principle of ministerial responsibility to Parliament can and must be maintained and strengthened.

IV

France provides a discouraging example of how internal political upheaval may sabotage national economic policy. Her main plan for economic recovery and industrial modernization is popularly known as the Monnet Plan. Even though the plan now appears to be a lost cause, the history of its formulation has considerable interest.[27]

France's efforts at postwar planning began before liberation. General de Gaulle established an economic committee in Algiers in 1944. After

[25] For a clear summary contrasting the Beveridge approach to full employment with that of the White Paper on *Employment Policy* (Cmd. 6527), see Alvin H. Hansen, *Economic Policy and Full Employment* (New York, 1947), pp. 57–81. In this book Hansen has also provided a summary analysis of postwar plans for full employment in Canada, Australia, Sweden, and the United States.

[26] An analysis of British experience in the thirties and postwar plans in relation to public investment as a counter-cyclical factor is given in Benjamin Higgins' study for the International Labour Office, *Public Investment and Full Employment* (Montreal, 1946), pp. 167 ff., 259 ff.

[27] The ensuing account is based largely on Edgar Beigel's article, "France Moves Toward National Planning," *Political Science Quarterly*, Vol. 62 (Sept., 1947), pp. 381 ff. See also "French Economic Recovery: The Monnet Plan," *The World Today*, Vol. 3 (Mar., 1947), pp. 132 ff.

liberation, the Ministry of National Economy, created in 1936, was re-established. Its head became vice-president of the economic committee. The latter was to develop reconstruction plans and foreign economic policy. Progress was slow. Disputes among cabinet officers precluded emphasis on a coördinated plan.

In 1946, a National Planning Council was set up by cabinet decree to increase production, stimulate exports, provide full employment, raise the standard of living, and facilitate reconstruction of damaged plant and equipment. The Council's membership included the president of the Republic as head, the entire cabinet, and eighteen representatives of the principal French economic interest groups chosen for their competence.

A *Commissariat Général du Plan* was responsible for drawing up the Monnet Plan. By a decree of January 3, 1946, all programs relating to economic planning were to be referred to this body. It proceeded to establish eighteen modernization commissions and seventy-nine subcommissions. It then harmonized the plans drawn up by the commissions and the government departments into an integrated whole.

The Monnet Plan was submitted to the Planning Council in November, 1946, for consideration on the policy level. First steps toward its implementation were taken early in 1947. A decree of January 16, 1947, continued the *Commissariat* as a permanent commission responsible to the Planning Council. Progress reports were required every six months. The head of the *Commissariat* worked with the Directorate of Economic Programs in the Ministry of National Economy. Coördination with the latter and with the Ministry of Industrial Production was naturally of great importance.

The specific industrial programs were to be effected by ministerial orders and in consultation with industry advisory councils. France has developed since her liberation an extensive system of labor-management committees, especially in plants of one hundred or more workers, which have been of considerable influence in increasing production. Such committees could have played a vital rôle in fulfilling the production objectives of the Monnet Plan. However, with food hoarding by farmers, gold hoarding by capitalists, drastic monetary and price inflation, strikes, and a failure in the export drive, a comprehensive four-year program such as the Monnet Plan has slight prospect of success.

France was not in a position during the war to develop policy statements on the government's postwar economic responsibility. The constitution of October, 1946, however, contains a clear-cut statement of such responsibility. The preamble declares that "everyone has the duty to work and the right to obtain employment." Article 25 provides for the creation of an Economic Council which must be consulted by the Council of Ministers "concerning the establishment of a national economic plan for

full employment and the rational utilization of our material resources."

Democratic planning faces a stormier path in France than in Great Britain. French experience warrants the conclusion that a minimum of political unity and community of economic objectives is essential if national economic policy is to be democratically arrived at and successfully implemented. Upon reflection, the Monnet Plan appears to be in the main[28] a sound national economic program, though foundering on the rocks of political cleavage.[29]

V

The Scandinavian democracies have a long tradition of intelligent democratic planning, and their postwar progress reflects this background of earlier experimentation. Effective use is being made of "national economic budgets." Each of the countries has a strong parliamentary democracy.

Sweden established an Economic Planning Commission in February, 1944. The breadth of its membership is of considerable interest. The commission consisted of twenty-one members, including eleven members of the Riksdag and representatives of employers' associations, trade unions, chambers of commerce, the coöperative movement, women's organizations, agriculture, and the exporting industries.[30] Sweden for many years has had a mixed economy. Her postwar policies reflect this condition.

Sweden was one democracy that did not make serious prewar mistakes in public-investment policy.[31] Her postwar plans include some innovations in attaining full employment. Chief of these is a National Investment Council, recommended by the Economic Planning Commission. It is composed of representatives of business organizations, labor unions, and government agencies. The Council's main function is advisory, but it is to aid in bringing about coördination of private investment with government policy.[32] More recently, the main initiative has been shifted to a cabinet member without portfolio who, at the head of a small staff, relies on other government agencies for supporting action in investment control.

[28] Of course, the Monnet Plan itself has been the subject of legitimate criticism for its own inflationary potentialities, partly because its production goals involve heavy expenditures on capital goods during a period of critical labor and supply shortages.

[29] France has undertaken rather extensive nationalization measures. See David H. Pinkey, "Nationalization of Key Industries and Credit in France after the Liberation," *Political Science Quarterly*, Vol. 62 (Sept., 1947), pp. 368 ff.; "Nationalization of Banks and Industries in France," *International Labour Review*, Vol. 54 (Sept., 1946), pp. 206 ff.

[30] Cf. Hansen, *op. cit. supra* in note 25, p. 98.

[31] See International Labour Office, *op. cit. supra* in note 26, p. 203.

[32] Cf. Hansen, *op. cit. supra* in note 25, p. 101.

Other features of Sweden's economic policy include stock-piling during slumps, extensive financial support of urban residential building, and plans for subsidizing the purchase of consumer durable goods as a counter-cyclical measure.

Of late, Sweden has engaged in its own "battle of the balance of payments."[33] Prompt counter-measures have been taken by the Swedish government. These include severe import restrictions, deferment of new plant construction, heavier luxury taxes, and measures to add to the country's vanishing supply of "hard" currencies.

Like Sweden, both Norway and Denmark are confronted by serious problems, arising largely from their foreign-trade position. Norway is making use of her budget not only as an aid in projections and forecasts, but also as an instrument for formulating a program of national economic policy under scarcity conditions.[34] Denmark, too, faces grave political and economic problems.[35] Yet the Scandinavian democracies have an advantage in national planning since their electorates are generally sympathetic to the necessity for government action in economic affairs.

Before the Communist *coup*, Czechoslovakia had gone farthest toward state socialism while trying to hold on to democratic processes.[36] Her domestic economic policies still appeared to be the result of freely arrived at decisions, commanding strong public support. Czechoslovakia was the first of the European countries to adopt an inclusive nationalization law;[37] and nationalization, under this law might embrace about eighty per cent of her economy. Over two-thirds of Czech industry and all banking and insurance are now made up of "national enterprises."

Great Britain and France proceeded with one industry at a time, through parliamentary channels. Czechoslovakia's nationalization, accomplished by presidential decrees issued October 24, 1945, has been wholesale. The decrees were later given blanket approval by the Provisional Assembly, but they became effective on the day of promulgation. All Czech parties supported the nationalization decrees.

Czech national enterprises are independent entities subject to taxation. A managing committee headed by a manager is the authority for each national enterprise. Central coördinating authorities may be established for the purpose of unified representation in matters common to national

[33] Cf. "Sweden's Economic Crisis," *The World Today*, Vol. 3 (Dec., 1947), pp. 537 ff.

[34] "The national budget for 1947 has, as far as possible, been set up as a programme of economic policy." *Official Summary* of the budget, prepared by the Norwegian Ministry of Finance, p. 3.

[35] See "Denmark Today: Political and Economic Problems," *The World Today*, Vol. 3 (Nov., 1947), pp. 477 ff.

[36] Cf. "Czechoslovakia at the Crossroads," *ibid.*, pp. 511 ff.

[37] Sharp, *op. cit. supra* in note 7, p. 13.

enterprises on an industry basis. Although the national enterprises are to operate independently and "according to the principles of commercial enterprise," a high degree of centralized control is vested in the Czech Ministry of Industry.

VI

This survey closes with a brief examination of Australian and Canadian experience in the formulation of postwar economic programs. Full employment is a fundamental aim of Australian and Canadian policy. Both countries, during World War II, issued statements of government policy on full employment.[38] Both assign a major rôle to the counter-cyclical use of public investment in their postwar plans.

Australia's White Paper on full employment reveals throughout a cautious respect for the difficulties in relationships between the Commonwealth and the states. It stresses the need for intimate coöperation if the national objective of full employment is to be achieved. A concrete beginning in collaboration was made in 1943 with the creation of a National Works Council,[39] the chief function of which has been coördination of Commonwealth-state developmental and capital projects. Changes in state plans can be made only by the state, but the Council has power to determine priorities.

Amendments designed to strengthen the Commonwealth's limited economic powers were submitted to a referendum in August, 1944. Although the government deemed these added powers essential for postwar reconstruction, the amendments were voted down. Australia, since the end of the war, has continued to experience a reaction against Commonwealth control. The nationalization of banks has encountered strong opposition.[40]

The Commonwealth has therefore concentrated on developing machinery for frequent and regular consultation with the state governments, utilizing chiefly the Premiers' Conferences and the Conferences of Commonwealth and state ministers as appropriate instruments. Since these conferences can deal only with "major matters of principle," the Commonwealth government has urged their supplementation by meetings of Commonwealth and state officials for the following purposes:[41] (1) to clarify proposals which may subsequently need to be considered by premiers in order that the fullest information may be available to both Commonwealth and state officers; (2) to work out detailed proposals

[38] Cited *supra* in note 3.

[39] See International Labour Office, *op. cit. supra* in note 26, pp. 211 ff.; R. I. Downing, "The Planning of Public Investment in Australia," *International Labour Review*, Vol. 52 (Oct., 1945), pp. 352 ff.

[40] *New York Herald Tribune*, Oct. 16, 1947.

[41] Australian White Paper on *Full Employment in Australia*, cited *supra* in note 3.

agreed upon in principle at Premiers' Conferences for subsequent confirmation by those conferences; and (3) to coördinate the administrative arrangements of Commonwealth and state agencies for carrying out proposals agreed upon.

Federalism has been a problem for Canada[42] as well as Australia in working out a national economic policy. Like Australia, Canada set to work early on a postwar full-employment policy in which use of fiscal power and public investment plays a large part. Canada's chief problem is to secure proper coördination of Dominion and provincial policies for right timing of public-investment outlays. Technical assistance and grants-in-aid to provinces and municipalities will be important instruments of national policy.

The department primarily concerned with postwar planning in Canada has been the Ministry of Reconstruction and Supply. One of its most significant elements is the Economic Research Branch, a professional staff engaged in study and analysis of economic problems and trends. Though presenting no official policy recommendations, the branch is a widely used source of advice to department heads and other officers. A recent move has been the assumption of the portfolio of the Ministry of Trade and Commerce by the head of the Ministry of Reconstruction and Supply. The two departments, of course, have maintained their separate identity and organization. However, this unification of responsibility contributes to proper correlation of domestic and external policy.

Parliamentary institutions remain strong in both Canada and Australia. Each country exhibits a strong animus against controls of a pervasive character. Each accepts governmental initiative in economic planning as a response to need.

VII

Although the countries whose experience has been emphasized here are traditional democracies, and although their economic problems are in some ways similar to our own, it would be misleading to conclude that we can freely borrow for our own use from their experience. Within the predictable future, the maintenance of full employment in the United States must and should be accomplished with the now existing tools of government.

However, the working of our own program-formulating machinery can be improved by a better understanding of the experience of other democracies. We are not in a position to rest on our oars. Evolutionary change is

[42] See F. R. Scott, "Special Nature of Canadian Federalism," *Canadian Journal of Economics and Political Science*, Vol. 13 (Feb., 1947), pp. 13 ff.; and by the same author, "Constitutional Adaptations to Changing Functions of Government," *ibid.*, Vol. 11 (Aug., 1945), pp. 329 ff.

the common denominator in the countries examined. Flexibility and adaptability are indispensable to the effective formulation and implementation of national economic programs.

The following summary observations are especially pertinent to our own problems:

(1) The record indicates that extensive economic planning by government *can be* compatible with a virile political democracy.

(2) Central planning demands a high degree of coördination in the executive branch. Responsibility to the legislature must always be maintained, but executive initiative in formulation and execution of plans must be encouraged.

(3) A central planning agency whose membership includes the heads of key departments (rather than a purely staff agency) appears to be preferred.

(4) Direct representation on such central planning agency of the chief interest groups affected by national economic policy has been the tendency in other countries. An important corollary here is the necessity for prior consultation with all affected groups, especially in the preliminary stages of program preparation.

(5) Experience in all countries shows the importance of close coördination between central planning agencies and central budgeting organs. The point of departure for such coördination is the use of a "national economic budget" as the basis for the economic program.

(6) The countries examined have an advantage in planning national economic programs because their electorates are relatively program-conscious. A widely held conviction of the necessity for purposive government action in economic affairs is a valuable support to effective planning.

IV. CONGRESSIONAL RESPONSIBILITIES

CLARENCE CANNON*

United States Congress

I

In recent years, we have witnessed much earnest debate—and still more loose talk—about the need for a national economic program. All economic systems, of course, require for their success an intelligent concern with available resources; with ways and means of making best use of these resources; and with the essential conditions of productivity and

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stability. Such concern may take greatly varying forms, but everywhere throughout the Western world it has resulted in an increasing degree of governmental guidance in sustaining the vitality of the economic order. In the United States, the dark memories of the great depression and the miracle of wartime production have led the people to reject the idea of an inevitable succession of boom and collapse. Control of the business cycle, on the other hand, calls for both a common basic objective and a concert of efforts, private and public. The case for a national economic program rests on its integrating effect in serving these twin purposes.

Formulation of a program of such comprehensive character is necessarily surrounded by many complicated technical problems. There is the matter of adequacy of statistical information. There is the question of an analytical approach sufficiently refined to guard against fatal errors. There is the problem of governmental staff organization. Students and men of practical affairs have devoted a good deal of thought to each of these aspects. One point, however, thus far has found much less attention. It is the central proposition that under our Constitution the federal government is able to commit itself to an economic program only by legislative action.

As a minimum, this means two things. In the first place, it means that no economic program rightly called the federal government's will ever show much resemblance to an economist's dream—or even to the composite picture of the dreams of a thousand economists. The reason is obvious. Legislation is political business. It is the business of compounding distinct and divergent interests into progressively broader understandings and agreements. The threads of theoretical logic, however well spun, would never withstand the powerful pull between these interests. Strong ties are needed, worked out in political compromise. A national economic program, therefore, will always be at the same time a political program, and be more of a real commitment and less of a paper formula for this very reason.

In the second place, the kind of legislative action in which a national economic program may find expression is likely to reflect the way the lawmaking body generally goes about its business. Some people, for example, seem to think it possible for a legislature to adopt a full-fledged economic program in one fell swoop, presumably on the basis of extensive committee work. Others apparently assume that once such a program is agreed upon in broad outline, all proposed legislation will duly proceed from this foundation. Neither the one nor the other expectation bears any substantial relation to the realities of American party government as we observe them in the work of the lawmaking branch. Congress is properly responsive to popular needs, but its traditions favor a considerable freedom of individual determination on the part of its members.

Weak as the incentives toward party solidarity may be in comparison with organized pressures, it is nevertheless self-evident that no party can safely sacrifice consistency in its legislative record. This applies with particular force to its chances of capturing or retaining the presidency. Being in command of the executive branch carries with it important advantages not only to the party at large and its leadership, but also to its members in Congress individually. As a consequence, ever since the days of Thomas Jefferson and Alexander Hamilton party platforms have contained the elements of economic programs, if only in rudimentary form. Indeed, party government brings about something like an ever-present compulsion toward coherence in legislation. Although this compulsion is not always equally strong, it serves as a welcome check upon those factors and forces that tend to push each party in many different directions at once.

Deference to program, then, is not a novel feature of American politics. Yet it is quite true that our unparalleled economic development has affected both the order of magnitude and the subtleties of inner balance one must consider today in any attempt at framing a national economic program. All of our great sources of economic strength—agriculture, industry, trade, transportation, and other indispensable services—have grown continuously more interdependent. Time was when the farmer's worries and those of the business man could be dealt with in the legislative forum as if they were separate and unrelated. Our present struggle against inflationary tendencies will have taught every citizen that remedial action by government cannot simply aim at one particular component of our economic structure. Such action must be so designed as to exert its influence at a variety of crucial points throughout the national economy.

In playing its constitutional rôle as the supreme legislative agent of the people, Congress bears a heavy burden of responsibility for helping to safeguard the nation's economic health. All of us know that a recurrence of economic breakdown not only would be a domestic calamity but also would profoundly affect our international position in a most critical period. In order to exercise its legislative powers wisely, Congress therefore has to view the economic order as a whole. A national economic program can aid significantly in fostering this widely inclusive orientation. But we need more than a proper point of view. We also need appropriate procedure.

Two such procedural devices have been adopted by the Seventy-ninth Congress. The first was furnished by the Employment Act of 1946, in the provisions relating to the legislative treatment of the President's economic reports. The second was supplied in the Legislative Reorganization Act of the same year, in the clause providing for congressional determination of a ceiling for the annual budget of the federal government. I intend here to discuss the merits of these two new devices.

II

In the Employment Act of 1946, Congress declared "that it is the continuing policy and responsibility of the Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, agriculture, labor, and state and local governments, to coördinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power."[1] This lengthy sentence may not disclose its full meaning on first reading, but it is the most explicit acknowledgment by Congress of the value of correlating divers legislative measures into a national economic program.

To implement its goal, the act charged the President with the duty of transmitting to Congress at the beginning of each regular session an economic report, and subsidiary reports at his discretion. Under the law, the annual economic report of the President, to be prepared with the assistance of a new Council of Economic Advisers, is to contain prescribed types of economic data and to set forth "a program" for carrying out the policy laid down in the statute, "together with such recommendations for legislation as he may deem necessary or desirable."[2] The law also provides for the establishment in Congress of a Joint Committee on the Economic Report, made up of fourteen members selected equally from both chambers. The joint committee has the function "(1) to make a continuing study of matters relating to the Economic Report; (2) to study means of coördinating programs in order to further the policy of this act; and (3) as a guide to the several committees of the Congress dealing with legislation relating to the Economic Report, not later than February 1 of each year (beginning with the year 1947), to file a report with the Senate and the House of Representatives containing its findings and recommendations with respect to each of the main recommendations made by the President in the Economic Report, and from time to time to make such other reports and recommendations to the Senate and House of Representatives as it deems advisable."[3]

It may be noted that this last provision governing congressional procedure represents a marked departure from the proposals of the early sponsors of "full employment" legislation. The original Senate bill called for a joint resolution to incorporate the general economic policy of the

[1] Sect. 2 of the act. [2] Sect. 3. [3] Sect. 5.

federal government.[4] Just how far in actual fact the joint resolution might have had binding effect upon subsequent congressional action appears at best a matter of conjecture. It is clear, however, that even the less stringent arrangement embodied in the Employment Act presupposes some willingness on the part of the various committees of Congress to accept the recommendations of the Joint Committee on the Economic Report as a general line of legislative policy. This raises a nice question to which I shall later return.

The Legislative Reorganization Act of 1946 attempts to supplement the Employment Act in one crucial field—the field of fiscal policy. Section 138 seeks to control the size and the substance of the federal budget by pooling the resources of the four standing committees of Congress concerned with government finance—the Committee on Ways and Means and the Committee on Appropriations of the House of Representatives on the one side, and the Committee on Finance and the Committee on Appropriations of the Senate on the other. The four committees are directed "to meet jointly at the beginning of each regular session of Congress and after study and consultation, giving due consideration to the budget recommendations of the President, report to their respective houses a legislative budget for the ensuing fiscal year, including the estimated over-all federal receipts and expenditures for such year." The legislative budget is to be adopted by a concurrent resolution "fixing the maximum amount to be appropriated for expenditure in such year."

The report of the Joint Committee on the Legislative Budget, to be submitted by February 15, "shall contain a recommendation for the maximum amount to be appropriated for expenditure in such year which shall include such an amount to be reserved for deficiencies as may be deemed necessary." In case the estimated receipts are higher than the estimated expenditures, the report "shall contain a recommendation for a reduction in the public debt." Should the estimated expenditures exceed the estimated receipts, the amount by which the public debt must be increased to meet the deficit is to be determined in the concurrent resolution.

The idea of a legislative determination of the federal budget as a whole is by no means new. Swagar Sherley, a leading member and later chairman of the House Appropriations Committee, apparently suggested its essence before World War I. He returned to the subject in his testimony during the deliberations which led to the passage of the Budget and Accounting Act of 1921. The protagonists of congressional reorganization during recent years made much of the obvious desirability of giving focus to the

[4] For a discussion of the original Senate bill, see Senator James E. Murray, "A Practical Approach," in this REVIEW, Vol. 39 (1945), pp. 1119 ff.

relationship between federal revenue and expenditure.[5] No one will quarrel with their general position. But it is a different matter to find a workable solution to the problem of financial balance and sound budgetary policy.

III

To say that in their initial test during the first session of the Eightieth Congress the two new procedural devices centered in the Joint Committee on the Economic Report and the Joint Committee on the Legislative Budget failed to live up to the expectations of their proponents would be a supreme understatement. To be sure, the change of political control from one party to the other inevitably played a rôle in this outcome. Another factor—and probably one of larger significance—was the barrage of extravagant pronouncements coming from the leaders of the majority party about the scope of economies to be achieved by reducing the federal budget.

The Joint Committee on the Economic Report was appointed only toward the close of the Seventy-ninth Congress. Because the elections eliminated five members, the committee was faced with the task of reconstituting itself. When the time came for presenting its findings and recommendations on the President's first economic report, the committee was able to do no more than promise further study.[6] Its report to Congress, in the words of Senator Ralph E. Flanders, was "short and apologetic."[7] The report nowhere came near to affording Congress any general guidance on pressing issues of economic policy.

Of greater importance is the fact that the Joint Committee on the Economic Report has naturally found it difficult to exert a positive influence upon the work of other committees confronted with legislative proposals in various fields. To quote Senator Flanders again: "As an adviser to the several committees of the Congress on specific economic matters, the Committee faces a delicate question of relationship. To avoid any possible criticism on the part of other committees, the few recommendations made during the first year were informal—members of the Joint Committee carrying the word to members of the committee having primary jurisdiction over the subject bill. This procedure, of course, was facilitated to a limited extent by cross membership. Members of the Joint Committee were on ten of the fifteen standing committees in the

[5] For a review of the Legislative Reorganization Act and its background, see Robert M. La Follette, Jr., "Systematizing Congressional Control," in this REVIEW, Vol. 41 (1947), pp. 58 ff.

[6] *Report of the Joint Committee on the Economic Report*, 80th Cong., 1st Sess., House of Representatives, No. 12 (Feb. 3, 1947).

[7] Senator Ralph E. Flanders, "Administering the Employment Act—The First Year," *Public Administration Review*, Vol. 7 (1947), p. 225.

Senate, but only six of the nineteen committees in the House. A number of the committees which were not represented were of no great importance in implementing an economic program, but it would seem an omission to have had no members of the House Appropriations or Ways and Means Committees on the Joint Committee when these two groups are so important in establishing government fiscal policy. Neither the Senate nor the House Committee on Foreign Relations was represented on the Joint Committee."[8] What needs to be added here, I think, is the point that adequate representation of different policy areas in itself does not solve the problem posed in the statutory reference to the guiding function of the Joint Committee with respect to other committees. This problem is likely to be both tough and persistent.

Each standing committee of Congress, with considerable justification, looks upon itself as a body of experts in the sphere covered by its jurisdiction. Each committee will therefore be reluctant to abandon its own point of view in favor of another one conveyed in the recommendations of the Joint Committee on the Economic Report. It is difficult to see how the joint committee can hope for an atmosphere of receptivity toward its proposals unless it develops procedures by which it can draw into its own deliberations enough of the thinking that goes on in the several standing committees. To accomplish this end may not be an easy job. At the very least, it will take time. Yet it is plain that the effectiveness of the joint committee as a legislative guide for the whole of Congress will be proportionate to the degree in which the committee is able to express a broader consensus throughout the legislative branch.

The Joint Committee on the Legislative Budget, during the first session of the Eightieth Congress, turned in an even less convincing performance. Its report,[9] although immediately adopted in the House, ran into difficulties in the Senate. After much debate, the Senate voted to depart from the committee recommendation. The conference committee to iron out the difference between the two chambers stalled after a few meetings, and that was the end of the business. Congress took no further action on the proposal of the Joint Committee.

This result had been foreshadowed by the way in which the majority party had approached the task at hand. Committed in advance to a large tax cut, it attempted to use the mechanism of the legislative budget as a stepping stone in pursuit of its tax program. Quite properly, the minority party refused to go along with this *tour de force*. Its position was indicated in the statement of minority views attached to the report of the Joint Committee on the Legislative Budget.[10]

[8] *Ibid.*, p. 226.

[9] *Report of the Joint Committee on the Legislative Budget*, 80th Cong., 1st Sess., House of Representatives, No. 35 (Feb. 15, 1947).

[10] *Ibid.*, pp. 6–7.

The minority members of the Joint Committee explicitly reasserted "their determination to reduce appropriations, after hearing testimony, to the utmost consistent with the public good." But they were equally explicit in substantiating their objections to the majority recommendations. They stressed the pertinent facts as follows: "The Congress has been in session approximately six weeks. During this time, only three meetings of the committee have been called. Only two witnesses have been heard. No actual hearings have been held. In view of this unwarranted delay, we feel that instead of bringing out the majority report at this time without any basis of fact, Section 138(a) of the Legislative Reorganization Act of 1946 should be amended to permit sufficient delay to give the committees and subcommittees opportunity to hold hearings and obtain essential information in order to make estimates of appropriations and rescissions with some degree of accuracy." And the minority members added: "No itemized estimate of major reductions has been submitted either in the majority report or in the discussion of the resolution proposed by the report. As a matter of fact, no information is available upon which to predicate such an estimate. As a result, any vote for the reduction proposed in the report is a vote to cut without knowing what is to be cut, how much is to be cut, or where the cut is to be made. In order to reach any accurate conclusion on the proposed reductions, it will be necessary to delay consideration until hearings can be held and factual data developed." A blind guess, in short, is as bad as a futile gesture.

The bogey of delay had been blown up to formidable proportions inside and outside the Joint Committee on the Legislative Budget. Delay, of course, can be offset by buckling down to work. As I said on the floor of the House in response to the contention that preparation of a more detailed legislative budget would have taken until Christmas: "Such a statement is ridiculous. According to the Committee on Appropriation's published schedule, the committee with only 43 members must examine every item and report to the House not later than May 16. The Joint Committee with 102 members could subdivide into subcommittees and report in 2 or 3 weeks."[11]

Toward the end of the first session, I came back to the question of delay. I pointed out that in view of the provisions of the Legislative Reorganization Act, "long before the November elections of last year, as chairman of the Committee on Appropriations, I took time by the forelock and arranged for as much advance preparation as appeared practicable of accomplishment prior to the meeting of the new Congress in order to avoid any delay in meeting the date line named in the statute. My responsibility ceased with the transfer of party stewardship. To this date,

[11] *Cong. Record*, Vol. 93, p. 1207 (Feb. 20, 1947).

the law has not been complied with."[12] My plea for action was in vain.

If, during the first session of the Eightieth Congress, practical experience with the new procedure for the establishment of a legislative budget strongly suggested its unworkable character, its second application in the current session emphatically confirmed the fact.[13] This time the report of the Joint Committee on the Legislative Budget[14] was merely a formal gesture to absolve the party in power from the charge of violating the law by default. There was general agreement that the report meant nothing. The deficiencies of the procedure[15] were spotlighted sharply in the dissent by the minority from the committee report.[16] To quote:

"The Legislative Reorganization Act requires the recommendation of a Legislative Budget and provides for its preparation and submission after an analysis and study. . . . There has been no such analysis or study. On the contrary, the Joint Committee was called together after its organization meeting and without intervening hearings, discussions, inquiries, or investigation, was asked to adopt a Legislative Budget in definite amounts without justifications or itemization of any kind. We cannot join in such flagrant disregard of the spirit of the law.

No Legislative Budget, logically premised, can precede a detailed study of the estimates. And such study under established procedure cannot be undertaken and completed in time to meet the February 15 date line designated in the Legislative Reorganization Act. This was conclusively evidenced in the abortive attempt to enact a Legislative Budget for the current fiscal year. . . . With that failure to carry out the express provisions of the law still fresh in the recollection of the country, we are unwilling to be parties to the adoption of an arbitrary recommendation which, due to lack of information on which to base a justifiable conclusion, will be just as ineffectual, and fully as drastic a violation of the spirit of the law. . . .

The report of the Joint Committee proposes a reduction in expenditures of 2.5 billion dollars. It affords no indication of the yielding sources or the specific items from which such reductions are to be made. The report notably fails to take into consideration any expenditure demands not contemplated by the Budget, the ap-

[12] *Cong. Record*, Vol. 93, pp. 10543–10544 (July 26, 1947).

[13] This point of view has also been expressed to me by Marcellus C. Sheild, for many years clerk of the House Appropriations Committee, now retired—and he is one of the most competent judges on the subject I can think of. Mr. Sheild has set forth his own ideas in a paper entitled "Improvement in the Federal Budget Function from the Congressional Viewpoint," presented April 22, 1947, to the Round Table on Budgetary Control of the Federal Program, sponsored by the Washington Chapter of the Society for the Advancement of Management. See also L. B. Wheildon, "Legislative Budget-Making," *Editorial Research Reports*, Vol. I, No. 1 (Jan. 6, 1948).

[14] *Report of the Joint Committee on the Legislative Budget*, 80th Cong., 2nd Sess., House of Representatives, No. 1361 (Feb. 9, 1948).

[15] It should perhaps be said in passing that its deficiencies by no means reduce themselves to the problem of building up a congressional staff adequate to the purposes of the Joint Committee on the Legislative Budget. This is the main remedy proposed, for instance, in James A. Maxwell, "Fiscal Program of the 80th Congress," *Harvard Business Review*, Vol. 26 (1948), p. 72. Staff assistance, certainly, is necessary; but one can also make too much of this requirement.

[16] *Loc cit. supra* in note 14, p. 6 ff.

proval of which would necessitate deeper drafts upon pending appropriation requests in order to effect the 2.5 billion dollar goal recommended in the proposed resolution. As a matter of fact, approval already has been given to such unpredicted and unbudgeted expenditure demands.

To attain the objective of the 2.5 billion dollar reduction recommended by the majority report would entail reductions in the requested appropriations many times the amount of such objective because, it should be borne in mind, the proposed reduction refers to expenditures from appropriations, and appropriations almost universally exceed the expenditures therefrom during the fiscal year of their availability. To illustrate, while the Budget proposes new appropriations for 1949 of 32.9 billion dollars, expenditures therefrom during 1949 are estimated to be 4.5 billion dollars less. Obviously, therefore, to effect an expenditure reduction of 2.5 billion dollars, it would be necessary to reduce the appropriations to which such reduction would be applied by a much larger amount. The question is, where would such an appropriation reduction be made without harm to the public interest? The Joint Committee does not know; we do not know; nor does anyone know. And no one can know definitely until opportunity has been afforded to study the estimates and conditions affecting them.

To subscribe to a fixed total reduction at this time, therefore, with every constituent factor (including total prospective appropriations and expenditures, over-all federal receipts, tax reduction and foreign aid) undetermined and undeterminable, would be obviously absurd and nothing short of an indefensible subterfuge.

In the absence of any attempt to make the budget provisions of the Legislative Reorganization Act applicable or workable, we shall continue, as we have in the past, to examine the appropriation requests in accordance with long established procedure and advocate, or join in advocating, any economies that appear to be practicable and consistent with the public interest."

In brief, it is altogether evident that the budget provisions of the Legislative Reorganization Act have become virtually defunct. No mere readjustment of the submission date of the joint resolution alone will change the situation. This conclusion is today widely shared among the members of the Joint Committee on the Legislative Budget. As it stands now, the law is a dead letter. To design a procedure appropriate to the ends envisaged by the sponsors of the idea of a legislative budget will require much careful thought.

V. CONSOLIDATING PARTY CONTROL

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I

"The essential function of the party in the United States," A. Lawrence Lowell once said, "lies not so much in presenting alternatives on public questions as in presenting alternative candidates for election." The old saw that platforms are made not to stand on but to get in on is more than a cynical tribute to the manipulative capacities of party leaders. It

registers a recognition that, whatever other purposes the major parties may serve, they are not presently effective instruments for presenting the country with contrasting vistas of economic policy or well-being. The platforms of the major parties over the years reflect a moving consensus of broad electoral agreement; they rarely present significantly differentiated long-term program alternatives.

Initiative in formulating the government's economic program ordinarily lies with the executive. The ingredients of the program will doubtless be blended to have maximum political appeal. Congressional leaders may be consulted to make sure that the dish is tasty. But the rôle of the central party organization in program-making tends to be a minor one. The opposition party may present a superficial appearance of unity in mobilizing its congressional strength to defeat this program, but much greater difficulty arises in agreeing on a positive pattern of alternatives. Congressional leadership is dispersed, and the weak central party organization outside of Congress has little to contribute toward integration.

Administrators and legislators charged with the responsibility for coordinated program-making have found the party a weak reed to rely on. Meeting frustration in the fissiparous tendencies of the American party system as it projects itself into both the executive and legislative processes, they are tempted to explore the possibilities of more effective party management as a device for securing unity of purpose to make long-term program-planning possible.

The renewed interest in the party as a possible integrating force in developing public policy has its explanation in a number of developments. The economic program of the national government plays a much more significant rôle in the total economy than it did a generation ago. In an era of thirty-five or forty billion dollar budgets, a cohesive and well-knit fiscal policy becomes essential; it cannot be sustained on a basis of day-to-day improvisation. The wide array of governmental programs, domestic and international, poses the problem of ordering their interrelationships to avoid unnecessary conflict and to make certain that they contribute toward a common set of objectives. In many quarters there is increasing acceptance of the position that government has an obligation so to shape its policies as to help keep the economy in balance on a level of high production and full employment.

These developments carry with them certain imperatives in the way of institutional adjustments. At the administrative level, they have led to a search for more effective devices to coördinate agency programs and to give organizational expression to a supra-departmental view of public policy. The growth of the Bureau of the Budget, the recent emergence of the Council of Economic Advisers as an agency of over-all economic analysis and policy, and the efforts from time to time to strengthen the

White House staff represent a response to this felt need. At the congressional level, the recent Legislative Reorganization Act may be viewed as a step in the direction of meeting the same basic urgencies. So far, the major parties themselves have lagged behind. They have been unable to make institutional adjustments in the form of stronger central organization which would consolidate party control in the government. The disciplined political power necessary to integrate public policy on a party basis has been lacking.

II

There are good reasons why this should be so. The major parties have a heterogeneous membership and an amorphous character. Within each party, almost every variety of shade of opinion is represented. While wealth may be more strongly entrenched in the Republican party and poverty in the Democratic, economic status is far from being an exclusive determinant of party membership. Historical accident, inheritance, geographical location, the personal appeal of candidates, and a wide variety of other factors continue to condition the loyalties of the party faithful and the wavering allegiances of the not so faithful. Cautious party leaders faced with the challenge of achieving an electoral majority seek to keep their disparate elements together by blurring issues rather than by emphasizing them.

This strategy necessarily makes each party an instrument for the reconciliation of group and sectional conflicts. It thrusts into the forefront the elements which the parties have in common, rather than the differences which divide them. Given the lack of homogeneity in the membership of the major parties, it is hard to see how party program-makers can do more than strike a working balance among the interests and views represented among their actual and potential supporters.

The looseness of organization also complicates the task of elaborating a coherent pattern of party policy. The weakness of central organization reflects the way in which power is structured within the party. State and local party organizations usually have their independent power bases. They resist the discipline of the center because subordination robs them of the autonomy which they so jealously cherish. The centrifugal motif maximizes the power of the part; it does not contribute to the strength of the whole. While the parties remain loose associations of quasi-independent principalities, it is unlikely that the policy outlook of the center will triumph over the pull of the periphery.

Governmental structure also serves to reinforce the centrifugal power. Federalism insures dispersal of authority within the party organizations and decentralized sustenance. Members of the House of Representatives

are rooted in the localism of district, senators in the localism of state. As such, they are necessarily sensitive to the pressure tactics of lobbyists with strategic political leverage in their constituencies. Within Congress, power is scattered and party discipline uncertain. Except in presidential years, the time-table of elections favors the local issue over the national. The presidency provides a focal point from which to generate national policy, but the power of the office depends upon the dynamism and skill of the occupant in mobilizing widespread public support for his views.

These are observations both familiar and valid. To the extent that they are accepted and widely acted upon, they carry certain consequences for the formulation of the federal government's economic program. Given the situation where the presidency and Congress are controlled by the same party and the President has assumed the initiative in policy-making, the program he presents, if it is to stand a chance, must ordinarily be shaped to appeal to the various interests and views represented within his party in Congress. To be sustained, it must be based on the pivots of strength in the party. If the majority party be the Democratic, the program must have something to offer to Southern conservatives as well as to Northern urban or industrial constituencies. If the dominant party be the Republican, the program must ingratiate itself with Midwestern agrarianism as well as attract the support of representatives of business and urban middle-class groups.

Given the case where the presidency and Congress are controlled by different parties, the situation becomes even more complicated. If the President is to win legislative support for his program, he must solve the problem of mobilizing a working majority for his proposals by reaching beyond his own party. Compromise becomes the order of the day. If the price of compromise be too high and the danger of deadlock not too great, another alternative lies open to the President. He may mold his program with a view not to enactment but to winning the next election. The appeal will be directed not to Congress but to the electorate.

If the majority party in Congress seeks to assume program leadership under these conditions, it too faces great difficulties. The axiom that party unity in American politics is possible only for the party in opposition begins to assert its force. The first problem is to find terms of accommodation within the congressional majority itself. Beyond looms the ever-present threat of the presidential veto. Assuming that the majority party lacks the votes to override a veto, two broad alternatives arise. The first is to moderate its program in such fashion as not to risk a veto or to refashion the program to win sufficient minority support for overriding a veto. The second is deliberately to frame legislative proposals with the next election in mind. The risks of deadlock must be weighed against the hopes for victory.

III

Discussion up to this point may appear to have ignored factors of dynamic change in the American party system. It may well be true that an analysis which stresses party heterogeneity and localism looks to the past rather than the future. Are there not forces at work which, with skillful direction, can contribute greatly toward transforming the parties into more homogeneous and centrally disciplined organizations? Local machines are no longer as firmly based in state and municipal patronage as they once were. Both the spread of civil service requirements for office-holding and expansion of government's social service functions have some tendency to undermine the power of local political organizations.

As immigrant groups are assimilated into the community, their resistance to machine manipulation increases. With some striking exceptions, the process of building and sustaining local machines on the basis of spoils and favors becomes an increasingly hazardous and complex undertaking. Urbanization and industrialization drive in the direction of a larger and more compactly organized labor movement, with potentialities for ward and precinct organization that have not yet been fully exploited. Increasing political awareness on the part of labor leaders leads to demands on the major parties for policy commitments as the price of support. Choices become more sharply defined, and issues more difficult to blur. Each party finds somewhat different terms of accommodation in response to the stresses and strains of this new challenge.

Other factors introduce additional uncertainties. Popular participation in politics is still relatively low. So far as the evidence goes, it is less at the lower end of the income scale than in the upper ranges. A huge reserve of non-voters awaits mobilization and effective organization. As Professor E. E. Schattschneider recently put it, "the raw materials of political power lie all about us, untouched and unused."[1] The full range of political leadership still remains to be explored. Recent improvements in communication techniques, with the vast audiences which they command, may substantially foster the development of such leadership and strengthen the nationalizing influences within both parties. As political tools, radio and television are still in an embryonic stage. The magic of the Franklin D. Roosevelt "radio personality" afforded a glimpse of the ways of party regeneration which skillful use of these tools may make feasible. Though the danger of a new type of subtle demagoguery may be real, the possibilities of a shift in power from local to central party leadership, aided by the revolution in communication, are not to be discounted.

These tendencies may suggest that there is more fluidity and mallea-

[1] E. E. Schattschneider, "Party Government and Employment Policy," in this REVIEW, Vol. 39 (1945), p. 1155.

bility in the American party system than is commonly assumed. But the dynamics of party change in the United States elude easy categorization. Thus far the major parties have shown a remarkable capacity to digest innovations without substantially changing their internal power structures. The shift in initiative from local to central party leadership has yet to be achieved.

IV

A variety of proposals have been made to strengthen the national instrumentalities of the major parties with a view to making their contribution to the formulation of public policy more effective. Some of these proposals involve no real challenge to the present constellation of power within the parties. Others imply a profound reordering of relationships, and consequently can be expected to encounter more serious resistance.

Within the first group is the proposal to establish permanent party research organizations. Such research staffs, it is urged, would gather the data for the formation of party policy, prepare recommendations, service the needs of the party leadership in formulating statements of party policy, and undertake the necessary political analyses on the basis of which the party leadership could devise its strategy for attracting votes. In contrast with British experience,[2] reliance of the American party on research organizations has been extremely limited. The politician's intuition and practical experience have appealed as better calculated to guarantee success than the research man's grubbing. In periods of bewilderment induced by defeat, the politician tends to be more receptive. The action of the Republican National Committee in establishing a research and editorial division in 1936 was perhaps not unrelated to such motivation.

The future of party research organizations would appear to depend on whether they show promise of contributing to successful vote-getting. Politicians, for the most part, have still to be persuaded that research is a weapon in the armory of political power. Experience will have to demonstrate to them that they will "not remain sure-footed in an increasingly technical world unless they make increasing use of the sound advice and information on technical problems which can be furnished only by persons who make it their main business to keep abreast of technical matters as they impinge on contemporary politics."[3]

Another proposal designed to clarify national party policy without unduly disturbing existing intraparty relationships is the suggestion of a

[2] See Joseph R. Starr, "Research Activities of British Political Parties," *Public Opinion Quarterly*, Vol. 1 (Oct., 1937), pp. 103 ff.

[3] C. A. H. Thomson, "Research and the Republican Party," *ibid.*, Vol. 3 (Apr. 1939), p. 313.

biennial or annual party conference.[4] Former President Hoover in 1937 lent the weight of his endorsement to the proposal that the Republican party hold a regular mid-term convention with the sole function of working out its position for the biennial congressional elections. The suggestion was coolly received by the Republican congressional delegation, whose members saw elements of danger in appearing to be committed to a national program which might embarrass them in their constituencies, particularly if it was one in whose making they had little direct part.

The compromise worked out by the Republican National Committee involved creation of a program committee of several hundred party leaders under the chairmanship of Glenn Frank to report its findings to the National Committee. The managing editor of the *Young Republican* described the early work of the committee as follows: "Sharp differences of opinion inevitably came to light. Considerations of party strategy kept intruding upon the broader problems of what was good or bad, right or wrong, for the country as a whole. And the key subcommittees on fundamentals got knotted up on the nature of fundamentals and whether in writing they could be distinguished from platitudes. A great deal of work had been done and not much of consequence accomplished."[5]

The final report of the Program Committee was published early in 1940 as *A Program for a Dynamic America*. It did not notably transcend the banalities of the usual quadrennial party platform. Prior to the 1944 convention, a somewhat different method was used to prepare a party program. The Republican Postwar Advisory Council, composed of senators, governors, and other party chieftains, met at Mackinac Island in September, 1943, to frame a statement of principles, notable chiefly for the trend it registered away from isolationism. In late 1945, representatives of the Republican congressional group issued another statement of principles, but like previous efforts its declaration tended to break down into a series of noncommittal generalities.

In theory, there is much to be said for the annual or biennial party conference. It offers an opportunity for the party to keep its program abreast of events; to educate, inform, and lead the electorate; and to introduce a measure of discipline in the behavior of the congressional delegation by publicizing the party position on the issues which await the attention of Congress. Yet without substantial changes in the internal power structures of the parties, it is doubtful whether these opportunities will be

[4] This proposal and others here discussed have been reformulated for fresh consideration by the Committee on Political Parties of the American Political Science Association, established early in 1947. The committee is under the chairmanship of Professor E. E. Schattschneider, of Wesleyan University.

[5] Ronald Bridges, "The Republican Program Committee," *Public Opinion Quarterly*, Vol. 3 (Apr., 1939), p. 302.

fully utilized. Congressmen, in their battles for nomination and election in their districts, prefer to remain free, rather than be fettered by party declarations. The same forces which dictate pious platitudes in quadrennial party platforms are likely to produce a similar product in annual or biennial party conferences.

Realization that this is likely without a fundamental readjustment of relationships within the party has lent support to more drastic proposals. These aim to make each party a more disciplined and effective determinant in the formation of national policy. The proposals vary in character; the common premise uniting them is that party responsibility can be fostered by building up the central leadership of the party. It is proposed, for instance, that each party select an officially recognized chairman or spokesman, the President presumably to serve in this capacity for his party, while the defeated presidential candidate would continue as leader of the opposition party unless replaced at an annual party conference following the quadrennial convention.

It has been further suggested that each party create a National Policy Council, headed by the party's chairman, this group to be the policy-making arm between conferences or conventions. It has also been urged that the selection of congressional party leaders be subject to approval by the national leaders of each party; that the congressional party leadership thus chosen be given the responsibility and power to pick the members of congressional committees; and that congressional candidates be expected to commit themselves to the policy declarations issued by party conventions or conferences.

While many matters of detail can be raised in connection with each of these proposals, the basic issues which they pose can be put in a series of questions. Is stronger central party leadership the most effective way of promoting party responsibility? Can central party leadership be markedly strengthened without unduly curtailing or limiting the independence of the congressional party delegation or its members and the rôle of local political organizations? Do the means exist to achieve such a regrouping of power within the parties?

V

Party responsibility has two related aspects. It involves a positive obligation to act; it also carries the implication of accountability. The two notions are fused when action is taken in accordance with the desires of the party membership. A central party leadership so strong as to be beyond the control of the party's rank and file can no longer be deemed responsible, even though its legislative record may be regarded by some as admirable. Party responsibility implies a leadership which operates within the framework of intraparty democracy. Efforts to strengthen central party leadership are not necessarily inconsistent with party

democracy. They become inconsistent only when they offend the canons of democratic accountability and control.

These remarks are designed to suggest that a stronger party leadership emerging from and accountable to democratically constituted party organs, as the foregoing proposals envisage, may be regarded as responsible leadership. Those who advocate invigoration of central party leadership operate on the assumption that it will also contribute substantially to clarification of party policy and serve as a unifying force in the evolution of truly national parties.

Whether or not such a result follows would seem to depend on the nature of the configuration of forces within the parties. Given the existing decentralization of power, it is hard in the first instance to see how stronger central party leadership can emerge. Will local party leaders voluntarily abdicate the independence and power of veto over national party policy which they have exercised over many years? Will the party representatives in Congress freely subordinate themselves to such leadership unless they in fact control it? Cogent arguments can be made that the party as a whole would benefit from stronger leadership over the long run, but in the short run what is involved is a disturbance of the internal power relationships. Those asked to part with power do not ordinarily do so willingly.

Do the means exist to consolidate central party control? The most recent experience which throws some light on this question was the presidential purge of 1938.[6] Behind it was a conception of party responsibility which made the leadership as embodied in President Roosevelt the arbiter of party orthodoxy. As the President put it in his speech opposing the renomination of Senator George of Georgia: "To carry out my responsibility as President, it is clear that there should be coöperation between members of my own party and myself. That is one of the essentials of a party form of government. . . . The test is not measured, in the case of any individual, by his every vote on every bill. The test lies rather in two questions: First, has the record of the candidate shown, while differing perhaps in details, a constant active fighting attitude in favor of the broad objectives of the party and of the government as they are constituted today, and secondly, does the candidate really, in his heart, believe in the objectives?"

Applying this test, the President proceeded to intervene in a series of senatorial contests in the South and the border states. Hill of Alabama, Pepper of Florida, Thomas of Oklahoma, and Barkley of Kentucky, all of whom the President endorsed, were renominated. But the influence of the President was not strong enough to defeat George of Georgia, "Cotton Ed" Smith of South Carolina, or Tydings of Maryland. There is evidence

[6] See J. B. Shannon, "Presidential Politics in the South: 1938," *Journal of Politics*, Vol. 1 (1939), pp. 146 ff., pp. 258 ff.

to indicate that the purge was decided on belatedly and without particular attention to organization details; that the top leadership of the Democratic party was divided in its counsels; and that the manner of executing the purge did not reflect the President's customary political adroitness. But after allowing for all of these factors, the conclusions of Professor Shannon still seem sound. "It is clear," he points out, "that in the South all incumbent senators were renominated and reëlected except Senator Berry of Tennessee, who had held office but a short time and was opposed by powerful local and federal organizations. It is evident, therefore, that a potent if not decisive factor in the primaries was the control of the local party organizations. A sitting senator, especially if he has held office for a long number of years, is well-nigh invincible, and not even a person as powerful and popular as Franklin Roosevelt can unseat him."[7]

The experience of the purge serves to underline the authority of local and state organizations in the American party system. Yet it is probably true that for the party in command of the presidency such national power as exists to determine the party's composition finds its strategic leverage in the presidential office. A strong President has political resources which should not be minimized. Patronage, though limited by the Hatch Act, and alliances with sympathetic local groups may be used to build up a federal organization that would be able to challenge the dominance of local and state organizations hostile or opposed to the President's policies. The President can do much to give shape to his program; to direct the issues of national policy into the local constituencies; to mobilize the support of local party organizations; and to stimulate the participation of dormant groups in party affairs. All these opportunities may contribute substantially to the nationalization of party life.

It is more difficult to see how central party leadership in the opposition party can be institutionalized between quadrennial conventions. The defeated presidential candidate, by the very fact of his defeat, finds his position as party leader undermined. The struggle which sets in among rival aspirants for the next presidential nomination is disintegrating in its effects. No candidates for nomination and none of the forces which support them are likely to tolerate a stronger central party machinery, unless they feel reasonably confident that they will be able to control it. The usual dispersion of power among competing candidates is an effective obstacle in the way of any gravitation of power to the center.

The emergence of a leader or group of leaders in the opposition party so generally recognized that their leadership is not challenged could lay the groundwork for a strengthened central party organization. On the basis of historical experience, however, the prospects for crystallization of a High Command of this type in the opposition party do not appear to be

[7] *Ibid.*, p. 295.

too propitious. The rise of such leadership would seem to be, in some degree at least, a function of the strength of leadership in the party controlling the presidency. A demonstration of the electoral effectiveness of strong leadership in one party may provide the necessary atmosphere of crisis for the emergence of powerful leadership in the other. But the event still awaits verification.[8]

The obstacles which prevent the parties from becoming more effective in the formation of national policy are formidable. But the unutilized potential in the American party system is substantial. Daring party leadership may arouse and organize hitherto inarticulate aspirations, and party organizations may find themselves being reshaped in the process.

Change, when it comes, will not come without volition and vigorous effort. While the focal points of power within the parties remain as they are, economic programs will continue to reflect this situation. No purely organizational approach can magically dissolve the resistances to centralization of party power. The problem of consolidating control cannot be solved at the center alone. It reaches out into the states and localities where party power is distributed and dispersed. The future of the major parties as responsible formulators of national policy will depend on the emergence of leadership capable of dramatizing the need, building up support, and achieving a reordering of internal power relationships to sustain the course of policy. The assignment does not promise to be easy.

VI. POPULAR SUPPORT OF ECONOMIC PROGRAMS

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I

The most general factor determining the political feasibility of economic programs is their adaptability to socially approved and sustained ideas that pervade our culture. This stock of ideas constitutes a folklore of accepted common-sense rules of thumb and coheres about a pattern of values which the rules support and exemplify. Culturally transmitted,

[8] Beyond the proposals here considered for strengthening and institutionalizing central party leadership, there remain many other suggestions made for improving party responsibility. These include various proposals for changes in election laws, including elimination of the poll tax, provision for permanent registration, scheduling elections on legal holidays, eradication of gerrymandering, and so on. They also include proposals for constitutional amendments which would introduce a modified version of the cabinet system of government, or which would provide a uniform congressional four-year term in both houses so that the President and Congress would be elected as part of the same national decision. This paper is confined to the organization of the parties themselves.

the body of ideas more or less unconsciously conditions the behavior of every class of society. They constitute habits with a projective force, constantly seeking realization in conduct. Both the limits of popular knowledge and the relation of popularly accepted values to permissible practice are basic conditions defining the politically feasible.

The political common sense of America is the utilitarian individualism of Locke tempered by the misgivings and peripheral modifications of John Stuart Mill, with a liberal dash of social Darwinism. In economic matters, the many-sided imagination of Adam Smith has been compressed into the catechism of "economics in one lesson." However much eroded by criticism in the realm of theory, the dogmas of individual rights, natural law, and natural harmony have become part of our spiritual environment. To think in their terms is to be at ease with a familiar and ordered universe; to think in others is to struggle with ingrained habits.

Natural rights, individualism, and the teachings of classical economics are profoundly hostile to attempts to render the economy politically responsible. New problems for whose solution our going ideology is ill adapted must be dealt with piecemeal, by way of exception. Like the Ptolemaic theory, the doctrine of limited government has had its epicycles accommodating the more stubborn facts of urban industrial society. But the pull of mental habit is toward the orderly universe of accepted doctrine which still integrates the culture and, to no small extent, the individual.

The culture into which we are born sees the economy as made up of independent egos, kinetically reacting against one another to produce social good in accordance with an immutable natural law. The place of government is to provide a known and impartial judge, and to unite the force of the community behind the preëxisting laws of nature. The natural but undesirable phenomenon of monopoly does call for public action. But all else is best left to the politically uncoördinated efforts of persons natural and artificial. Even when this position in all its crudeness is rejected formally, it continues to dominate behavior as an integrating core until replaced by a new synthesis capable of doing the same psychological work.

The task of government in the economic field is thus clear: to chastise the evil-doer and curb monopoly. Failures of the economic order are the result of individual or collective deviation from the natural moral laws of economics. It is the business of the statesman to point out culprits and faults, and to vindicate the moral code. Assessing the causes of the depression, the economist Sprague and the politician Al Smith united in attributing it to sin. Whether Franklin D. Roosevelt believed likewise or not, he understood that government programs gain support to the extent that they clothe themselves in the garments of a morality play.

Monopoly, the sole imperfection resulting from the natural harmony of free competition, has been assimilated to sin. While orthodox economic doctrine provided a logical rationale for redress, an ethical inquisition into motive and intent has usually been substituted for the less congenial consequences of adherence to theoretical logic. Deviations in detail from the canons of orthodoxy are permitted, as in other codes of morality, but only as deviations not bearing on the validity of the doctrine as a whole. Thus the tariff, or subsidies, became supportable as minor concessions to the weakness of the flesh.

Along traditionally marked lines, government activity can be sure of support in the popular ideology. Outside of them, the handicaps are great. Anyone seeking popular support for an economic program must carefully weigh the great psychological assets of sailing under the familiar colors. Hence the morality play and the obeisance to economic stereotypes. It may be argued that to play this game is to fail in the task of education on which permanent ideological support depends. In the short run, however, with unstable congressional majorities and biennial elections, most government programs must win the necessary support right away. Successful communication of the program depends on its translation into familiar ideas and patterns.

The very nature of news requires the presentation of a program as a story rather than as a statistical argument, a story that radio, magazine, and press must be able to retail in accord with the limitations of their publics and their institutional biases. What can be undertaken is largely determined by the tastes and habits of the customers, and by the availability of adequate media of communication. Over time, these limitations may prove elastic; in the short run, they are not. No amount of mere advertising will make up for inability to communicate a complicated economic program to a public whose intelligent coöperation is necessary for its success. As Plato so well understood, the "royal lie" requires a strict control over opinion for its enduring acceptance. Uninformed acquiescence on the part of the public is rarely sufficient. When it is, the personal popularity of a leader or the authority of an office may bridge the gap between older assumptions and those necessary to a conscious pursuit of novel goals.

II

The doctrine of the limited state and the axioms of *laissez faire* have suffered setbacks in detail. Sectors of the free economy have become public. But the contraction of the area of the free market is regarded with sorrow. The rule is freedom, the exception an imperfection. As a consequence, we may have a monetary policy, a railway policy, a tariff policy, a labor policy, an agricultural policy; but conscious coördination of these

policies by government puts heavy strain on the doctrine of the free market. It might destroy the ideological shield protecting the economic order from the implications of universal suffrage. An economic program of general coördination suggests the immediate political responsibility of the economy.

The accepted view is that of a politically responsible state and an economy inherently responsible by its obedience to natural beneficent laws. Formulation of general economic programs by government tends to force the issue of social democracy to the surface. We are ill prepared to face the problems thus presented.

Were they the problems of a science only remotely impinging on accepted values, a framework of dispassionate inquiry with agreed standards of verification might be maintained. But they cut more deeply. The argument, honestly followed, leads at least to a careful consideration of the implications of central economic planning for constitutionalism.

Beyond the question of constitutionalism, and fundamental to it, is the problem of the individual. The view of society as made up of largely autonomous individuals possessed of self-derived value and personal ends came to general acceptance with the utilitarians. It has profoundly influenced the pattern in which the average man envisions his rôle in life. No restatement of liberal values in accord with present scientific knowledge and current social problems has equally captured public imagination. What is Keynesian man? What are his values? Little wonder, when issues so basic confront him, that the individual hugs his individuality and wraps his tattered ideology round him, preferring the familiar and its hopes.

The doubts and fears engendered by the pressure of change on our private worlds are further aggravated by the conflict between the United States and Soviet Russia. Free market and free men versus collectivism and the police state, political democracy versus social democracy—some such slogans furnish the headline version of the conflict. Under these conditions, antipathy toward the foreign policy of the Soviets by the public in general, and disillusionment of liberal elements in particular, have had serious if illogical repercussions on general economic planning.

The Soviets are the classic land of the Five-Year Plans, the classic land today of the police state, and the dangerous rival of the United States—to say nothing of being godless and anti-individualistic. The association of planning with these ills comes naturally. Great Britain's Labor Government, struggling with an obsolete, bombed-out plant, may achieve the miracle of greater production than in the peace year 1938. The public sees not the production figures, but the dreariness of austerity. In the United States, full employment, high standard of living, abundance unknown anywhere despite the pinch of rising living costs—these are the

apparent fruits of what we call the enterprise system. The great depression is a real and haunting memory, but the material basis supporting the going ideology is ample for the present. What is the Soviet record compared with ours? International rivalry lends fresh strength to doctrinal orthodoxy.

For a brief period after the last war, the sense of power, of vast previously unused national capacity, and of enhanced personal significance through participation in a larger objective seemed to promise a continuance of coördinated pursuit of social objectives. The sense of community and fellowship so desperately needed in urban industrial society turned to a momentary hope that other labors than war might unite the nation. But fatigue, the pull of habit, and the lack of any institutionalized peacetime aims brought about a rapid disintegration of morale and organization.

Wartime experience with the productive powers of a coöperative society remains, however, a permanent part of the nation's consciousness. Our experience with deficit spending in the depression has made it impossible for either major party to let unemployment mount, while clinging to economic orthodoxy for salvation. In the same way, World War II has made the nation conscious of its powers to a degree that will permit little patience with substandard performance. The experience, though unassimilated and exceptional in terms of use and wont, is one that waits on circumstances to be recalled, and constantly serves as a new standard of criticism.

III

Government programs, like plays, depend on the public for support. To be supported, they must be understood. To be understood, they must be communicated in an accepted vocabulary and in terms of a recognized system of values. They must accord with expectations and do as little violence as possible to common sense. What are the economic hypotheses the public accepts? What are the economic precepts that the voting population has been taught to take for granted by grammar school, high school, college, newspaper, magazine, and radio?

Economic programs formulated in terms of some broad concept of the public interest must be articulated with the more or less permanent group structure of our society. In time of war, under the vigorous pressure of an outgroup, a vague but none the less powerful national consolidation develops. The political energies thus generated can be utilized by the chief executive through popular leadership to enforce priorities and allocations on the recalcitrant. It is significant that national support for political action in terms of an all-embracing and paramount criterion—war need—is slow in making its appearance, drops rapidly in intensity with

favorable turns of events, and dissolves almost entirely with the disappearance of the outgroup menace. Our only successful basis for the coördination of national energies to accomplish a common objective has been war. The "hundred days" apart, the depression provided no similar unity of purpose.

If our war experience demonstrated that over-all planning in our economy is feasible, the difficulty of conversion, the costly delays and the bickering, and the rout of orderly reconversion showed that the political basis for effective governmental action is highly precarious. What is the peacetime basis for inclusive programs conceived in the general interest, or for the coördination of programs to insure their harmony with the functioning of the economy as a whole? The broadest group whose interest is identifiable with a partially satisfactory concept of national purpose is the ultimate consumer. Under pressure from rising living costs, popular leadership can build significant political support temporarily from broad masses organized only by common impact on their pocketbooks and common need for remedy.

Such groups are inherently unstable. Possessing no formal organization, having in common a purpose that ebbs and flows with the felt impact of the cost of living, and mostly also part of other groups frequently at cross purposes with broader objectives, the body of consumers provides the political support for transitory if recurrent crusades. It cannot furnish the day-in-day-out support that continuous government action requires. Without this support, the contending, less general but well organized, interests shoulder aside any attempt at their coördination. There is a common American saying that you can't beat somebody with nobody. All too often, the interest that theory indicates to be everybody's has nobody for a champion.

Rational coördination of government programs could be accomplished in the interest of a self-conscious and politically dominant group. But no politically dominant group exists with a conception of its interests rationalized into a program of national scope. Accordingly, economic programs must be multi-group programs. The logrolling hurly-burly of self-defeating compromises inevitably takes its toll. Accommodation is not the result of rational adjustment of differences to accomplish a common objective. Rather, the legislature becomes the analogue of the free market, registering the pressures from the various interests. The momentary accidents of effective power are determinative. Rational consideration and responsibility are institutionally incapable of attainment.

Bits and pieces of programs under the aegis of powerful support, such as agriculture, can operate for a time in a world partially their own. Dominant interests in these fields provide the basis for rationally coördinated action. Such limited freedom for implementation of some official concep-

tion of the public interest prevails in the regulatory boards and commissions, to the degree that tension among the parties at interest permits.

All too often, board or commission policy differs from that obtaining in the legislature only to the extent of simplifying the pressures entering into decisions. Sometimes simplification proceeds to the point of a board's identification with a particular interest group. In these cases, government becomes little more than the protective censor of the industry. A vested interest of pressure groups in departments, bureaus, and legislative committees creates an almost feudal alignment. Institutions giving structure to organizable public support are weak. The strong elements in the government are those with the enduring day-by-day backing of powerful and alert special interests.

The public at the Washington level is represented and organized in such a way as to exaggerate and exacerbate differences. The private bureaucracies through which the organized publics operate are largely irresponsible for the general effects of the policies they pursue. They have an institutionalized interest in sounding the tocsin of alarm and playing on the fears and prejudices of their membership.

The membership in large part depends for its information and its views on a leadership engrossed in maintaining itself as a going concern. Individuals in the group fear to deviate from the line handed down lest they risk the penalties of nonconformism. Occasionally a government representative may appeal over the heads of the organization to the rank and file and secure a temporary policy reversal. But the event is rare and transient. Normally, the Sanhedrin of the lobby has great independence.

Rational coördination of governmental programs calls for development of organizations sufficiently inclusive to necessitate pursuit by the group leadership of general objectives and their articulation into a general program. The part played by the Congress of Industrial Organizations in public discussion of wage policy, productivity, and full employment has forced on it a greater breadth and higher level than previously was possible. Opposition is compelled to make explicit its position. In the process, the debate that filters to the public poses issues in terms of policy alternatives far more meaningful than could arise from the welter of pressure groups and the indeterminate doctrinal differences of Democrats and Republicans. Responsibility in program formulation is in part a function of the breadth of interests and the range of time that a leadership is compelled or can afford to consider.

The larger multi-interest organizations which may be expected to evolve programs for the economy as a whole are still weak and too narrowly based. The Committee for Economic Development, though promising in scope and comparative seriousness of intent, is scarcely more than a vehicle for a minority of business statesmen. The mass base of C. I. O.

unionism enforces some consideration of real as opposed to money wages. That base is still too narrow to restrain the temptation simply to negotiate with business. However, the beginnings exist of organizations whose interests will permit and compel the formation of broad policy. For some time, though, labor leaders are likely to find it expedient to meet Mr. John L. Lewis' competition with strenuous attention to pay envelopes.

The organizations which day in and day out canalize pressure on government neither urge nor lend aid to over-all programming. This is not to say that individual members may not make speeches or write philosophical pieces for the prints. Even the leaders on occasion make a bow to the grandeur of generality. To be called in the press a labor statesman or a socially-minded captain of industry has its human appeal and its public relations value.

These are accomplishments that mark one as broad-visioned—in political argot, a man who can drag in votes from all the wards. The conscious adepts of Keynesian economics or of its many vulgarizations are, amiability and politics apart, under an intellectual compulsion to see the economy as an economy. This alteration in the pictures in their heads at least provokes changes in rhetoric and symbols. As Mr. Irving Babbitt, the humanist, was wont to remark, "All great revolutions are preceded by a revolution in the dictionary."

IV

The uncoördinated pressures of social groups working on a Congress that is loosely organized by party label but largely undisciplined, torn by the centrifugal pull of local and narrow interests, and suspiciously rebellious toward presidential direction—this combination has created a wide open field for policy promotion. The political market for policies, though perhaps no freer than the economic market and with fewer opportunities for small business, is miles away from a planned economy. The positive and negative organization of Congress by the lobby is more clearly in evidence than the articulated program, if any, of party or President.

With a political leadership only partly able to control the legislative time-table, and with an administrative organization in the main attending to special needs and special groups, this is scarcely surprising. What is surprising is that it should be thought possible thus to do a reasonably good job of keeping in balance a delicate and complex economy. Of course, the diversity of programs has much to do with the loosely feudal character of the executive branch. Despite the requirement that administrative agencies must clear their legislative proposals with the Bureau of the Budget for compatibility with "the program of the President," a good deal of *laissez faire* prevails in practice.

The formula, "the program of the President," is viewed in some administrative circles as no more than a convenient fiction to clothe the Budget Bureau's own sense of propriety and expediency. If such a document exists —and many would like to see it—it apparently provides the same latitude to the justices of the "green sheets" as the general phrases in the constitution. It is a latitude, however, most strictly limited by the political potency of the offender, contracting into acquiescence where discretion urges the abandonment of sanctions.

Congressmen are in search of ideas, and perhaps ideas are in search of congressmen. Bureau chiefs and underlings, responding to the technical demands of their jobs and the promptings that shape their point of view, are willy-nilly purveyors of thought to legislature and lobby. The need for appropriations at least calls for the maintenance of good morale among one's supporters, and a friendly congressional committee is no handicap to peace of mind. Bureaus, like business, must advertise to keep their share of the market, unless they are secure in their appropriations. The advertising may be selective, or it may be as broad as that of the Federal Bureau of Investigation. To attach one's name or one's outfit to a favorably received program is to be in the news. The need of the congressman, the interest of the rising administrative politico, and the budgetary position of the agency coincide. The permanent official, while relishing the enhanced prestige and emoluments of a more extended sphere of operations, at the same time has a wholesome fear of the fate of Phaëton. This fear is not shared by the congressman, nor by the political bird of passage for whom the program, regardless of its fate, is a public appearance and a step in a career.

Competition is the law of life in government as much as in economics. All government programs are in varying degrees competing for allocation from a limited budget. Their share in this budget is determined by group and public support—support that cannot be assured by merely doing a good job except in the most clearly necessary functions. A new program, like a new product, must make its way often at the expense of others. As in business, it is a prerequisite to everything else that there be a market. Without it, production cannot start, or if started be maintained. As in business, the quality of the product does not offset inadequacy of sales promotion. There is an uneasy marriage between the politically marketable and the economically workable, with the latter all too often taking the back seat.

Under these circumstances, public administration, like other enterprises, is in large part concerned with gaining, maintaining, or increasing the market for its particular product. Of necessity, the political head of a program is salesman-in-chief, not only of the program but also of himself. Government programs gain their appeal in large part by personalization.

The public feels it can understand people better than theories. From the very first, there has to be carried on, from the front office all down the line into the field, a vital job of persuasion. A program is under fire before it is launched, after it is launched, and until it is so entrenched that those who would cut its appropriation do not dare. Moreover, the public and the opposition will not wait six months, to say nothing of six years, to judge the merits of the program.

The development of a program, by its very nature, involves the popularization of its chief. Political careers transcend agencies and programs. Loyalties are divided between leaders, programs, and agencies. The search by lieutenants for a chief and by a chief for a felt popular need and a program to sponsor is the necessary active element in the process of representation so well described by Robert Michels.

Viewed against the pure theory of program formulation, its uninstitutionalized, irresponsible, and anarchical practice may seem deplorable. Yet it accomplishes real work. The testing of public and congressional opinions gives the government a means of feeling out the market, determining what issues can be raised advantageously and what should be dropped. The absence of collective responsibility permits an easy circulation of personnel and the abandonment of untenable positions. Careerists are expendable; easy repudiation prevents embarrassment. Tears are at a minimum since the actors appear in new rôles. If political pay dirt is struck, it redounds to the credit of the government. Obviously, this is coördination by natural selection in terms of public and congressional acceptability. In the absence of a firmer political base, the government, if it is to lead at all, must in great part follow.

V

The problem of coördination, although partly institutional, is fundamentally related to the development of broad demand for governmental action. In the past, there has been little such demand except in time of war, and perhaps briefly in the depths of the great depression. The agencies of government and their functioning are the historical products of unplanned growth to meet the piecemeal needs of a prodigally wealthy *laissez faire* economy. The allocation of the national surplus through the public purse is the outcome of a process that translates the pressures of groups and registers their momentary effectiveness with Congress, President, and the public. Political pressures in the field of government have served the same purpose as market demand in the economy. Large groups in both fields have been ineffective, or at least quiescent. The mobilization of these groups for political action could furnish that amplitude of power essential to planning as more than a form of wishful thinking.

Writing half a century ago, Henry Jones Ford said that "at the present

stage of our development American democracy, confronted by the old embarrassments of feudalism, compounded from new ingredients, instinctively resorts to the historic agency for the extrication of public authority from the control of particular interests—the plenitude of executive power. The circumstances are such as are likely to put increasing emphasis upon this tendency." Fifty years has seen no diminution of this tendency. Confronted with the failure of the party system to develop national responsibility, thus becoming capable of uniting legislature and executive in a broad program, thoughtful observers have turned more and more to the potentialities of the presidency.

Yet a strengthened presidency, while an indispensable center of administrative coördination, is still too uncertain a source of power to operate the over-all governmental integration requisite to a full-employment economy. The resources on which, in the absence of institutionalized party support, a President must depend suffice perhaps for crisis government. They fail to provide the steady support which new and controversial functions require. As Machiavelli remarked, "unarmed prophets perish." A President attempting to operate a full-employment program without disciplined party support is an unarmed prophet indeed.

If not in itself a sufficient instrument to fulfill the hopes and expectations generated by the Employment Act of 1946, a stronger presidency may serve to orient and activate a largely indifferent electorate. As the appetite for positive government is aroused, party organization may be expected to come to meet the demand. The dynamic development and exploitation of this demand is the current historic rôle of the presidency.

Until the demand is guided into the responsible channels of party organization, all the problems inherent in a presidency dependent on a mass following will threaten to plague us. Party government which will transform the elective executive into an accepted leader with a disciplined following owing real allegiance to a national program is the condition essential to effective coördination of all component elements. The Employment Act, by enlisting the potential political interests of millions, may be a first step in the transformation of our party system. At the very least, it represents a decisive break with older conceptions of the limits of government responsibility by indicating a newly available source of political power.

NEWS AND NOTES

PERSONAL AND MISCELLANEOUS

Compiled by the Managing Editor

The forty-fourth annual meeting of the American Political Science Association will be held next December 28–30 in Chicago, with headquarters at the Palmer House. As appointed by President Henry R. Spencer, the committee on program consists of Professors James K. Pollock (University of Michigan), *chairman*, Eric C. Bellquist (University of California), Herman C. Beyle (Syracuse University), Hugh A. Bone, Jr. (Queens College), Hugh L. Elsbree (Library of Congress), James Hart (University of Virginia), Lloyd M. Short (University of Minnesota), and Benjamin F. Wright (Harvard University).

Dr. Kurt Schuschnigg, former chancellor of Austria, has been appointed professor of government at St. Louis University and will offer courses in international relations and recent political theory.

Stanford University has given Professor Robert H. Connery leave during the spring quarter to serve in the office of the Under Secretary of the Navy.

Dr. Cromwell A. Riches has resigned his position as chief of the United Kingdom Section, Office of International Trade, Department of Commerce, to accept appointment as executive secretary of the Board of Foreign Service Examiners, Department of State.

At the University of Maryland, under the auspices of the department of government and politics, Professor E. E. Schattschneider, of Wesleyan University, delivered in March three public lectures on "The Struggle for Party Government."

Under the auspices of the National Foundation for Education in American Citizenship, Professor Carl J. Friedrich, of Harvard University, delivered a lecture and conducted a seminar at the Illinois Institute of Technology on February 27 on "European Reconstruction and the Future of Democratic World Order."

Professor Harold J. Laski, of the London School of Economics and Political Science, served as visiting professor of political science at Roosevelt College, Chicago, during the month of April. In addition to seminars and other classroom responsibilities, he delivered a series of public lectures on "America, Europe, and World Peace."

Professor William Anderson, on sabbatical leave from the University of Minnesota during the winter quarter, visited a considerable number of

universities in Southern and Western states, observing their departments of political science.

In mid-winter, Professor Philip C. Jessup, of Columbia University, was named deputy to Warren R. Austin, chief United States representative in the United Nations Little Assembly.

Dr. Angelo P. Sereni, of the University of Ferrara, and now lecturing on comparative law at the Law School of New York University, will deliver a series of lectures on international law at the Academy of International Law, The Hague, during the month of July.

Professor Marshall E. Dimock has resigned his position as professor of political science at Northwestern University, effective at the end of the present academic year. He and Mrs. Dimock plan to live on their farm at Bethel, Vermont, where they will continue their research and writing.

Professor William Ebenstein, of Princeton University, has been granted leave of absence for the calendar year 1948 to direct a study of the status of the political science profession in selected countries in Europe. The undertaking is a project of UNESCO. Professor Ebenstein will make his headquarters in Paris.

During the coming summer, Professor Dayton D. McKean, on leave from Dartmouth College during the present term, will teach at the University of Colorado; Professor John Masland, at Columbia University; and Dr. A. M. Wilson, at the State University of Iowa.

Professor R. W. Van Wagenen, of Duke University, will lecture at the Institute of World Affairs of the San Diego State College in the first week of August and teach in the summer session at that institution.

At the request of the Under Secretary of the Army, Vanderbilt University has granted Professor Henry N. Williams a two-term leave of absence to enable him to join the staff of Major General Daniel Noce in completing a history of the Civil Affairs Division to be published as part of the ninety-nine volume, *U. S. Army in World War II*.

Dr. Milton Conover, who taught at New York and Yale Universities several years ago and has since travelled and lived abroad extensively, has of late been teaching again at New York University and serving as legal adjudicator at the Veterans Administration offices in Newark, N. J.

Professors Llewellyn Pfankuchen, of the University of Wisconsin, and Carroll Hawkins, of Michigan State College, will teach at the University of Minnesota during the coming summer session.

Professor Harold S. Quigley, of the University of Minnesota, was the guest of the department of history and political science at Michigan State College on February 11, speaking on the topic, "Democracy in Japan: Progress and Problems."

The National Institute of Arts and Letters recently awarded its Gold Medal "for distinguished achievement" to Dr. Charles A. Beard, and formal presentation will be made at the annual joint ceremonial of the National Institute of Arts and Letters and the American Academy of Arts and Letters in May. Under a scheme of rotation among fields of achievement, the award is made for history and biography once every ten years.

After serving as visiting professor at Stanford University during the autumn, Professor Robert S. Rankin resumed his duties at Duke University at the opening of the second semester.

Mr. John R. Ross, general deputy to Warren R. Austin, chief American delegate to the United Nations, was the featured speaker at Stanford University on February 20 at the opening of a three-day student international relations conference.

At the University of Utah, a separate department of political science has lately been created, with Professor G. Homer Durham, director of the Institute of Government, as chairman.

At Queens College, Dr. John Meng has been promoted to an associate professorship.

Professor W. Leon Godshall, of Lehigh University, will teach at the University of Connecticut during the coming summer.

Professor Elmer Plischke, of DePauw University, was named recently to the publications committee of the Indiana Academy of Social Sciences.

Mr. Jack R. Howard has been appointed instructor at the University of Pennsylvania, replacing Mr. Charles H. Harry, who has been appointed assistant district attorney of Montgomery county, Pa.

Miss Esther M. Seeman, formerly an instructor at the University of Minnesota, has been appointed lecturer in political science at Roosevelt College, Chicago.

A new political science journal, the *Western Political Quarterly*, is published for the recently established Western Political Science Association by the Institute of Government at the University of Utah. The managing editor is Professor F. B. Schick, of the University of Utah, and nineteen other members of the editorial board are widely distributed among col-

leges and universities of the Rocky Mountain and Pacific Coast states. The first issue of the *Quarterly* was scheduled to appear in April.

At Lehigh University, Professors Eugene H. Miller, of Ursinus College, and Walker Kirchner, of the University of Delaware, are serving as visiting professors of international relations. During the coming summer, Professor Aurie N. Dunlap, of Sampson College, will similarly serve as visiting professor.

Professor Charles C. Rohlfing, of the University of Pennsylvania, addressed the annual convention of the Pennsylvania State Association of Township Supervisors on February 12 on the "Ordinance-Making Power of Townships"; and Drs. Norman D. Palmer and Robert Strausz-Hupé have lately delivered a series of addresses in forums sponsored by the Foreign Policy Association.

Mr. J. Murray Edelman, after recently receiving his doctorate at the University of Illinois, has been appointed instructor in that institution and research assistant in its Institute of Labor and Industrial Relations.

Dr. Robert E. Ward has been appointed to an instructorship at the University of Michigan.

Dr. Charles Prince has been appointed adviser on international and Soviet Russian affairs to Standard Oil Company (New Jersey). Previously, Dr. Prince held a similar position with the Chamber of Commerce of the United States.

Dr. Eve Lewis, formerly of the University of Utah, has accepted appointment at the University of Alabama as assistant professor.

Dr. Leon Ellis, lecturer in political science at Duke University, took part in a round table at the Social Science Forum sponsored by the Woman's College, University of North Carolina, on February 14. The other members of a panel discussing the question, "Can Nationalism Survive the Atomic Age?," were Professors William F. Ogburn and Maynard Krueger, both of the University of Chicago.

Under the leadership of former President Herbert Hoover, as chairman, the Committee on Organization of the Executive Branch of the Government has been setting up groups of experts in a variety of areas, and among appointments announced are those of Professor John M. Gaus, of Harvard University, to the group on agricultural activities, and Professor William Anderson, of the University of Minnesota, to the group on federal-state relations.

A European seminar-tour, designed especially for teachers and students of international relations, is being organized by Dr. Alfred G. Fisk, of

San Francisco State College, as a part of the institution's summer session. The group will interview political and cultural leaders and visit government ministries, party headquarters, and such international organizations as UNESCO and the UN in Geneva.

A sponsoring committee composed of thirty-nine persons prominent in business and public life, has been created to advise Princeton University in planning an enlargement of its School of Public and International Affairs as a living memorial to Woodrow Wilson, the University's thirteenth president.

At the National University of Mexico, during the first half of January, Dr. Josef L. Kunz, of the University of Toledo, gave a series of four lectures in Spanish on "The Pure Theory of Law" and conducted two round-tables on actual problems of international law. His lectures and round-table discussions will be published in the *Law Review* of the National Law School of Mexico. Dr. Kunz was also made an honorary member of the Mexican National Bar Association.

At Duke University, a Government Forum was sponsored by the Woman's Student Government Association February 4–6. Speakers included Congressman George Mahon of Texas, a member of the Herter Committee, who spoke on the position of the United States in the international affairs of Europe; Mr. J. Francis Paschal, research director of the North Carolina Commission for the Improvement of the Administration of Justice; Professor Paul Clyde, of the Duke University department of history; and Mr. A. Emil Davies, British financier, member of the London County Council and officer of the Fabian Society.

Dr. John W. Manning, professor of government and public administration at the American University, Washington, D. C., since his release from the Army as a colonel, has been made commissioner of finance for the state of Kentucky. In this capacity, he is responsible for the state budget, for personnel management, for state purchasing, and for state accounts. His headquarters are in the State Office Building, Frankfort, Ky.

Political scientists from Washington, Oregon, Idaho, and British Columbia planned to meet at Reed College, Portland, Oregon, April 17–18, for organization of a Pacific Northwest Political Science Association. In addition to a business session and several scheduled addresses, panel discussions were projected on (1) federal-state relations in the Northwest, (2) the Marshall Plan, (3) the 1948 elections: political strategy and public opinion, (4) current concepts of individual and group rights, and (5) the teaching of political science in the Northwest. Professor Thomas I. Cook, of the University of Washington, was to serve as president *pro tempore*.

Princeton, Cornell, Harvard, and Syracuse Universities are coöperating in the preparation of case reports drawn from actual administrative experience in the federal government, to be used for teaching purposes in the public administration schools of the four universities. A special research staff will be guided by an advisory committee representing the coöperating institutions. The Carnegie Corporation has recently made a grant of $100,000 to Syracuse University in support of the project. The Corporation has also made a grant of $65,000 over three years to the University of Puerto Rico toward support of a public administration program providing training for Puerto Ricans who wish to enter governmental service in Puerto Rico. Specialists in public administration from the United States will participate, and in-service training is also being provided for officials of the Puerto Rican government.

During recent months, the Coro Foundation, a public trust established in San Francisco in 1941, has been recruiting a group of twelve veterans of World War II interested in public service as a career. The men selected will receive $900 scholarships and become "interns" on October 1 for a nine-month course designed to give them a first-hand acquaintance not only with municipal affairs but with the workings of labor, industry and civic organizations. Working in pairs, the interns, during the first two months, will observe the operations of industry. This will be followed by two months with unions, and afterwards by two months with administrative offices of the city and county of San Francisco, including attendance at legislative and committee hearings. Three months will be spent polling public opinion and otherwise trying to ascertain the attitude of citizens toward local government. In addition to sponsoring its program of internship in municipal affairs, the Foundation is conducting a laboratory course in government in conjunction with Bay Area colleges. Seventy-five students of political science, journalism, and similar subjects meet with government officials and labor and industrial leaders in seminars one afternoon a week for ten weeks.

The American University, School of Social Sciences and Public Affairs, in coöperation with the Washington Chapter of the American Political Science Association, announces that its Second Annual Institute for Teachers of Government and Administration will be held in Washington, D. C., June 13–27. The committee appointed to plan and direct the program includes Hugh L. Elsbree, Ernest S. Griffith, Donald C. Stone, and Francis O. Wilcox, of the American Political Science Association, and Pitman B. Potter, Catheryn Seckler-Hudson, Ernst Posner, and Lowell H. Hattery, of the American University. Participants in the Institute will engage in discussions with leaders of the national government concerning vital current issues and developments. Conferences will be held with

members of congressional committees, officials of executive departments and agencies, representatives of major lobby groups, and other persons in the nation's capital who can contribute information that will enable the professor of political science and administration to make his classroom presentation more realistic. Special attention will be given to sources of helpful documentary and fugitive materials which will enrich the teaching of government and administration. Inquiries for further information about the Institute should be addressed to Lowell H. Hattery, director, Institute for Teachers of Government and Administration, American University, 1901 F Street, N.W., Washington, D. C.

BOOK REVIEWS AND NOTICES

Depression Decade: From New Era through New Deal, 1929–1941. By Broadus Mitchell. (New York: Rinehart and Company. 1947. Pp. xviii, 462. $4.00.)

If further proof were required that economics and politics have been joined in holy (or unholy) wedlock, this book should supply it. The work is called an economic history, being in fact the ninth volume in a noteworthy series. But there is scarcely a page in the book that is not primarily concerned with public policy and governmental programs.

Mitchell fully accepts the inevitability of a political economy. His first three chapters, "Descent and Deficit," "Hoover's Depression Policies," and "Evolution of Relief," stress the consequences of the Hoover Administration's resistance to this development. Mitchell does contend that "relative to the period and the party, Hoover was experimental and adaptable," and in a number of his acts forecast the later and bolder expedients of the New Deal, but without ever grasping the magnitude of the problem. Roosevelt, "in his first campaign not so far ahead of Hoover," profited by "instructive observation of Hoover's failure," and, if lacking in plans, possessed what was of greater importance—"a superb purpose." Mitchell suggests that Roosevelt "moved less with the fervor of an innovator than with the assurance of a conservative. He had the Tory tolerance for change."

The author's treatment of the New Deal's economic measures is generally sympathetic. Chapter IV, on the "Banking and Currency Crisis," is one of the most critical, particularly of the "scuttling" of the London Economic Conference—a decision which is presented as "probably the most momentous Franklin D. Roosevelt made," since it meant the adoption of a policy of national recovery rather than the world recovery which Hoover had sought. But the Roosevelt financial and banking reforms are discussed in the next chapter in an almost wholly favorable light.

Chapter VI is a long and balanced discussion of the agricultural adjustment program. Mitchell pays his respects to the policy of killing little pigs by suggesting that if an economy, "for its correction and preservation, demanded such violence to reason, [it] had better be abandoned than revived." The N.R.A. Mitchell regards as typical of the New Deal's "shifting, improvised program," but he suggests that in spite of its failure, "its concept of the feasibility of increased wages, stable prices, and improved profits through full employment remained to animate future efforts." Chapter VIII is an adequate statement of the labor developments during the period.

It is significant that in a book of only eleven chapters, one is devoted to the T.V.A. "Of all the works of the New Deal, that undertaken and

wrought by the T.V.A. may live longest for bold simplicity of conception and honesty of execution. . . . Here patching did not substitute for planning. . . . Here people came before politics." The concluding chapter is deservedly pessimistic over the fact that war alone proved capable of solving the problem of full production and unemployment.

Mitchell is an economist with a heart. He knows that the realities are people, not economic laws. He can boil at "the shame of Anacostia flats." Discussing the F.E.R.A. camps for transient unemployed, he notes with touching insight that each of these derelicts "was apt to carry with him a few trinkets which he prized out of all proportion to their intrinsic worth because they stood for him as a person in a moving mass of misfortune." He rates the building of sanitary privies in the South as "not the least contribution of the New Deal."

Mitchell defines the New Deal as "a reflection of the stage to which economic society had arrived, a recognition—however imperfect—that individual rights could be preserved only as collective responsibilities were discharged." The New Deal had failures, as in its inability to reduce unemployment below the figure of 10,000,000. It had many tangible successes. But its greatest contribution, Mitchell concludes, was its assertion that "we need not be frustrated by inscrutable misfortune, but can be masters of our future."

C. Herman Pritchett.

University of Chicago.

The National Debt and the New Economics. By Seymour E. Harris. (New York: McGraw-Hill Book Company. 1947. Pp. xix, 286. $3.50.)

This volume presents one of the most comprehensive treatments of our national debt problem that has recently appeared. The author's purpose is to integrate the "new" economics and an analysis of the questions raised by our large national debt. At various places throughout the text, and in one instance to the extent of an entire chapter (VI), Professor Harris manifests concern over "sponsored" research and the growth of research organizations established to promote economic policies favoring the groups providing the funds. He deems this situation serious and detrimental to the public welfare, because unorthodox ideas on fiscal policy based on sound logic (and the implication is that those of the author are in this category) have failed to receive the consideration they deserve from those who influence policy and those who make it. In brief, vested interests control the market-place of new ideas on public debt. While the reviewer is inclined to agree that the increase in the number of "kept" economists is not a wholesome situation, he also feels that the author's pique at the intransigeance of the business men in their attitude toward public debt does not make his own arguments more convincing.

The range of Professor Harris's study is indicated in the following questions which in his opinion require answers if one is to understand our debt problem: What sized debt can the United States carry and still remain solvent? Can the public debt continue to grow without a serious fall in prices of government securities and, therefore, without a deterioration of the government's credit? What determines public debt potential? Is the public debt a burden? Does the accumulation of public debt bring inflation? Does its repayment bring deflation? Is public debt growth necessary in order to provide the country with required supplies of cash? Can the investment markets function without a large public debt? Does the public debt have to be repaid? On balance, how does the public debt affect the economy? Are there approaches to full employment that do not involve the country in rising debts?

Admitting that our public debt cannot be lightly dismissed, the author asserts that "the public, nevertheless, seems over-alarmed by the public debt." While there are significant adverse effects in a public debt, there are at the same time offsets to the increased burden which should not be overlooked: increase in the national income, growth of savings and of liquid assets, and a more adequate monetary supply. The danger of inflation is not to be minimized, but it can be restricted, perhaps not in wartime, but in peacetime, by taking appropriate steps to neutralize its effects. As to our debt potential, no great fears need be entertained if incomes rise at a rate even substantially less than in the last few generations. Debt repayment is justified only in periods of boom. The monetary effects of repayment should be watched closely, and cheap money rates should be maintained. The important thing is to keep up demand. When demand is deficient, it is the government's task to subsidize it.

It would appear to the reviewer that the happy conjuncture of right factors may ultimately justify the optimistic conclusions on public debt, and the policies to be pursued regarding it, advanced by the author. But there are imponderables, and these are either ignored or passed over too lightly. On the whole, however, the conclusions of the author are well supported by references to a wide variety of source material. There are numerous charts, diagrams, and tables. The book is a provocative treatise which should be read and studied by all interested in and concerned with our national debt problem.

MARTIN L. FAUST.

University of Missouri.

The Process and Organization of Government Planning. By JOHN D. MILLETT. (New York: Columbia University Press. 1947. Pp. xi, 187. $2.50.)

This provocative little book enters the lists on behalf of a conception

of government planning that is primarily administrative or, in the author's phrase, "operational" in character. It exposes the illusions and misconceptions which predispose many students of government, to say nothing of the general public, to adopt a distorted view of the rôle of social intelligence in policy formation that is implied in the notion of planning. The book bears the authentic imprint of the author's experience with the National Resources Planning Board, the Army Service Forces, and his productive collaboration with Arthur W. Macmahon in analyzing the work relief programs of the thirties and the topside staff organization and personnel of the federal executive departments. There is a welcome emphasis upon the factors of personality and prestige in organizations for planning, especially in the account of N.R.P.B. and the Office of War Mobilization and Reconversion (pp. 137–159). A vigorous style reflects the forthright personality of the author. Although Professor Millett explicitly announces (p. ix) that the book does not follow the method of recounting personal experiences, this reader could not escape the enjoyable impression of a highly personalized, though none the less expert, analysis.

In the opening chapter, a distinction is drawn between policy formulation and planning, by which the author means to insist that planning must take place within the framework of pre-established policy decisions of politically responsible officials; that planning is improperly conceived as the unrestricted application of human intelligence to the problem of what government ought to do in order to make the economic order function properly; hence, at least within government, the planning process must not be regarded as including the stage at which the crucial political decisions are made. Professor Millett then proceeds to describe in Chapter II the process of administrative planning in terms of three operations: (1) the formulation of objectives or goals of administrative effort, (2) the estimation of need on the basis of a measured comparison between these goals and anticipated accomplishment, and (3) the design of a concrete program of administrative action to meet the need and reach the goal. The third chapter, entitled "Who Plans?," discusses with excellent illustrations alternative methods of coördinating operating programs at the departmental level, and in Chapter IV the author arrives (p. 90) at a definition of central planning as "the supervision, review, and coördination of operating plans which are prepared by agencies throughout the government." The remainder of the book is devoted to the problems of organization for central planning, the location of responsibility for "selling" the plans, and a statement of conditions which planning administration must meet if, in the author's judgment, it is to find acceptance within the American system of free enterprise and legislative-executive relations (pp. 162, 180). The Employment Act of 1946 meets the author's specifications, particularly in its reliance upon the executive for coördinating the

flow of information as to the operation of the economy and the effects of existing government policies, for recommending desirable shifts and modifications in the direction of policy, and for eliminating conflicts in the application of policies established by Congress.

The principal criticism to which Millett exposes himself is derived from the theoretical confusion produced by his attempt to restrict the conception of central planning to an internal process of rationalizing and coördinating the programs, policies, and organizational relationships of government agencies. If I interpret this position correctly, it is based upon three propositions, or value-judgments. The first one is that under American conditions, central planning may include the formulation of goals and requirements for government agencies, but not in any compulsory sense for specific segments of private industry nor for the economy as a whole. Secondly, if the policies and work plans of government agencies are properly systematized and coördinated, their activities will work together to promote the economic ends of government, e.g., "maximum production, employment, and purchasing power." Third, central planning is properly limited to the elimination of conflict and cross-purposes among the policies and activities of government agencies, and the central planning agency must not permit itself to become identified with promotion or advocacy of any particular policy or set of policies. Professor Millett has performed a service in forcing administrators and the rest of us as citizens to reëxamine these assumptions.

With respect to his attempt to delimit the legitimate scope of government planning (it may hastily be added, from the best of motives), Millett may fairly be charged with failing to take account adequately of the relation between planning as a process of applied social intelligence and the political process of organizing and expressing the popular will with respect to particular policies of government control over private enterprise. In seeking to avoid von Hayek's dilemma, Millett actually impales himself when he finds it necessary to preclude government by definition from establishing the objective goals of private initiative. As an act of intelligence, there is no rational reason why government planners should not do exactly that, and Millett himself in his final chapter recognizes that the goals of government effort cannot be intelligently formulated without estimating the goals and accomplishments of the nongovernmental sector of the economy, including the anticipated effects of government activity under alternative conditions and policies. In short, to this reviewer, the results of defining central planning in "process terms," which obscure or avoid the necessary intellectual operations and the economic effects involved in intelligently-directed government policy, point to an inherent limitation or partiality in the attendant conception of the relation of government to the economic order. Millett's views

should be compared with Sir Oliver Franks' *Central Planning in War and Peace* (available through Harvard University Press).

Neither can the assumption be accepted which implies that the kind and effects of particular economic policies are unimportant as long as they do not conflict in operation, or that planning agencies can escape responsibility for recommending particular policies. The author admits that this is not true of operational agencies. Why should it be true of central planning? Is it not better frankly to recognize that planning under democratic conditions means that politically responsible officials must communicate to the people their considered decisions as to the desirable goal and method of government action in either specific or general terms, as the time and situation may require? The very core of these decisions is the planning work that underlies them. The planning process must therefore anticipate in its recommendations a series of communications which not only explain the factual situation that produced the action program recommended, but will also prepare the people and the legislative body to receive favorably the proposals of the executive. Professor Millett is saying that no conception of government is acceptable in the United States which frankly admits that government may have to establish the goals for private enterprise in certain cases, and that Congress will not recognize and protect the integrity and the responsibility of policy-coördinating officials under the President for recommending programs in specific terms for coördinating public and private enterprise to meet emergent problem situations. Is he right?

AVERY LEISERSON.

University of Chicago.

Speaking Frankly. BY JAMES F. BYRNES. (New York: Harper and Brothers. 1947. Pp. 324. $3.50.)

We would expect Mr. Byrnes' book to be an important one, and it is, though it does not answer all questions. It does speak frankly and honestly, and it is written with a manifest effort to achieve understanding. It provides us with information and clarification on many points—too many of them to be listed here. Some such points are, by way of example: the voting procedure of the Security Council (pp. 34–38, 64); membership in the United Nations and the admission of the two Soviet republics (pp. 38–40); the assumption of control in Rumania and Poland by the Soviet Union; the dispute over the western boundary of Poland (p. 80); the Morgenthau plan for handling Germany (p. 182); the meaning of "states directly concerned" in trusteeship (p. 220); the atomic bomb and the ending of the war with Japan (p. 264); and the row over the Wallace speech (p. 239).

As to these points and many others, details are added to the picture

by Mr. Byrnes. It is his own story, told in his own very human style, and conveying his own viewpoint. He states, rather than justifies or analyzes, the attitude of the United States. He displays a characteristic American inability to admit that any of our actions could arouse justifiable complaint, and at such places his story is likely to become skimpy. Thus, he says (p. 34) that the Soviet delegation at Dumbarton Oaks insisted that decisions in the Security Council should be by unanimous agreement of the major powers, and that the United States agreed to this; he does not discuss the decisions which must have been made by the United States before this. The constitutional questions raised by the Soviet Union in the Iranian case he dismisses as subsidiary issues (p. 304). Again (p. 213): "We intended that the occupation of Japan should be an Allied responsibility," and we therefore proposed an *advisory* commission; it was a "revelation" (p. 108) when Stalin inquired as to the control of Japan and felt that a Russian representative was useless at Tokyo, where MacArthur exercised complete control. When Stalin wanted some territory, or at least a trust area, Mr. Byrnes remarked that the Atlantic Charter was a forgotten pledge (pp. 76, 96); but he makes no such remark with regard to the bargain by which we got the strategic area trusteeship for the mandated islands and the Soviet Union the Kuriles and half of Sakhalin (pp. 219–221). He apparently thought it strange that when we objected to giving Trieste to Yugoslavia, Mr. Vishinsky should have raised questions as to American forces in Iceland and our desire for bases elsewhere.

In such matters, the book is characteristic of the average American, but it might help some if the United States should once in a while admit that she is at fault and make a concession. Mr. Byrnes is anti-Russian only in the sense that he feels we must be firm against some of her ambitions, and this is a justifiable attitude developed in him by experience. In his final chapter, "Where Do We Go From Here?," he asks that the peace treaties be made and the United Nations be strengthened (though he does not say how); and if the Soviet Union stands in the way of this development, he is prepared to go ahead nevertheless; he does not believe that it will choose isolation or war. This judgment the reviewer accepts as correct. Mr. Byrnes believes that the people should be informed and educated, and again the reviewer agrees—and wishes further that Mr. Byrnes, from his long political experience, would write a book on how efficient popular share in foreign policy could be achieved.

There is an incidental final comment. Mr. Byrnes reveals information at the top level. This reviewer worked for a time in the lower levels of the Department of State and has been afraid ever since—especially in view of recent "security" discussions—to reveal any of the horrendous secrets he learned at that time—e.g., the number of shoes produced in Cuba at

a given period. What is, or should be, the law or etiquette about such revelations?

CLYDE EAGLETON.

New York University.

The United States in the Postwar World. EDITED BY WILLIAM B. WILCOX AND ROBERT B. HALL. (Ann Arbor: University of Michigan Press. 1947. Pp. 302. $3.00.)

The twenty lectures which this volume contains were delivered at a conference on the problems of the United States in the postwar world, held at the University of Michigan from July 23 to August 3, 1945. The first five, under the heading of "General Problems," deal with educational, economic, interracial, intellectual, and religious coöperation. The next ten lectures have to do with the relationships of the United States with Great Britain, Canada, Latin America, the Low Countries, southeastern Europe, the Arab world, Russia, the southwest Pacific, and Japan. The last five are on the position of the United States as a world power, and stress ideological, military, and international problems generally.

Throughout the volume there runs the common theme of coöperation. World War II was just coming to an end as the conference met, and it was natural that some anxiety should be expressed over the future policy of the United States, lest there be a repetition of the disastrous years which followed World War I. Very little apprehension was expressed over the future relations of the United States with the Communist world; in his excellent lecture on "The United States and Russia," Mr. Lobanov-Rostovsky brought out several disturbing facts and trends already evident in the summer of 1945, but in the other nineteen lectures there was no suggestion that the number one problem of the United States would be to find a way of getting along with Russia and with Communists in other parts of the world. Perhaps it was proper at this time that the main concern of the conference should be over the correctness of our own policies, without trying to speculate too much on the future policies of other countries; certainly in this connection the lectures displayed a high standard of idealism, advocating a program of coöperation and an end to isolation in every field of interest.

It is, of course, inevitable that lectures delivered by twenty different authorities should be uneven in quality. One of the most informative and thoughtful is that by Professor Kenneth Latourette on "Religious Cooperation," in which the limitations to extensive coöperation among the organized religions of mankind are skillfully pointed out, while nevertheless it is conceded that "the rapidly mounting Ecumenical Movement of Christianity and the work of the various elements which compose it hold promise for the spiritual and moral undergirding of the world of the fu-

ture." Dr. Waldo G. Leland's discussion of "Intellectual Coöperation" provides a good summary of the subject, together with the American interest in it. Canadian-American relations are well discussed by Professors Reginald Trotter, Charles P. Cullips, and Alfred Burt, all of whom bring out the many common interests between the two countries and the close coöperation to which those interests have led.

Generally, the lectures are of a high standard; not more than two or three appear at a disadvantage. All are intended to stimulate popular discussion rather than to contribute new information or to present original solutions to contemporary problems. The layman will find the collection helpful to an understanding of international problems, although it is obvious that the swift pace of events has already dated some parts of it. The student of international affairs will find that among the collection are many good summaries of selected problems and policies. Certainly a series of lectures such as these has a proper place on a university campus. Their publication, too, is to be desired. In the present instance, however, reception by the public at large would have been much warmer if publication could have been more prompt.

NORMAN L. HILL.

University of Nebraska.

Freedom of the Press; A Framework of Principle. By WILLIAM ERNEST HOCKING. (Chicago: University of Chicago Press. 1947. Pp. xii, 243. $3.00.)

This is one of six special studies published or being prepared for publication under the authorship of individual members of the Commission on Freedom of the Press or its staff. The General Report of the Commission has already been reviewed in this journal (Vol. 41, No. 3, pp. 559–561); hence our present concern is limited to Professor Hocking's special supplement.

Appended to this special study is the Commission's previously published "Summary of Principle," embodying the substance of its agreements as to principles of belief and of action. The body of this special volume is in the nature of an expanded statement of the condensed Summary, giving supporting arguments and explanation. The argument presented in the text bears the full impress of Professor Hocking's thinking and variety of philosophy, the footnotes presenting critical and supporting points offered by some other members of the Commission, chiefly Professor John N. Clark (pp. viii–ix) and Chancellor Robert M. Hutchins. Thus the special study continues the Commission's timely emphasis upon the need for a more responsible press in the interest of freedom for the community and for consumers as well as issuers of news, opinion, and other communications in the midst of modern hazards to freedom.

The supplied explanation and reasoning, however, do more than justify ideals and attempts at their fulfillment. They amount to advocacy of the philosophy of Idealism as the only true approach. Without pedantic array of reviewer's comments upon particular points, this would seem to be the heart of the matter. It is quite possible that the special elaboration will serve more to revive the issue of Pragmatism versus Idealism than to give pointed guidance to those who would seek to correct unwanted ills of press irresponsibility. It bears out the misgivings which the preceding reviewer held respecting some aspects of the Commission's General Report.

Those who are missionaries for the philosophy of Idealism will accept in full the claim of the book's publisher that here "liberty has found its twentieth-century champion . . . seeking principles on which the Commission on Freedom of the Press might base its work, profoundly and brilliantly reëxamining the foundations of freedom of the press in philosophy and law." Or, to continue, that the author "develops a framework of principles for a free press, in view of experience, out of the very nature of man, society, law, and government. Inquiring into the means and ends of free expression, recognizing the protective power of the government and the community toward the press and public, calling on the press to assume its moral responsibilities inherent in the right of expression, this book restates our claim to freedom."

Pragmatists, on the other hand, will doubtless coöperate heartily in any movement for greater responsibility and accountability of our press, without being too greatly concerned about all of the rationalizations which their fellow-workers may feel impelled to formulate. They will understand that a better case can be made for ideals, principles, responsibility, and accountability in the democratic processes, particularly as respects the matter of relative absolutes; and they would applaud the Idealist's resort to pragmatic perspective when in difficulty with his own broad projections of principles. They would hope that Idealism would not become an excuse for failure to accept and to practice gradual implementation of ideals. They would fear that the impedimenta of Idealism might cloud sharper and more useful analyses of legal, governmental, and social institutions. And above all, they would hope that the masters in totalitarian systems would not discover that unintended extensions of Idealism could also be made to serve their purposes of advocacy.

HERMAN C. BEYLE.

Syracuse University.

Public Utility Regulation. By HERMAN H. TRACHSEL. (Chicago: Richard D. Irwin, Inc. 1947. Pp. x, 538. $5.00.)

Administrative regulation of electric and gas utilities has had a long

and checkered career. Only in recent years, with the final laying of the judicial ghost of Smyth v. Ames, does there appear to be a realistic prospect for effective regulation. Professor Trachsel has made a broad survey of regulatory experience in the public utility field, principally gas and electric power. The book is a valuable addition to the already extensive literature on the subject.

A book is entitled to be judged by its success in achieving its primary purpose. Professor Trachsel's study is designed as a textbook for undergraduate courses. As a textbook, it is a workmanlike performance. The author has succeeded in covering a wide range of materials with admirable lucidity. The presentation is dispassionate throughout and is generally well-organized.

The study has four main divisions. An opening section analyzes the nature of a public utility and the purposes of regulation, through summary presentation of leading cases. The author then describes the purposes, powers, and limitations of the "agencies of regulation" at all levels of government. Part III deals in detail with the chief administrative problems in public utility regulation. This section contains excellent chapters on reproduction cost new and prudent investment. Also included are chapters on depreciation, rate of return, rate structures, regulation of accounting and reporting, and the holding company problem. A fourth and final section on "special problems" takes up rural electrification, federal power projects, TVA, and municipal ownership. The book is well annotated throughout, but no bibliography has been included.

Dr. Trachsel appears to have a basic faith in the possibility of developing vigorous and effective regulation, although he is not blind to the defects and pitfalls which have marred the history of regulation by municipal, state, and federal commissions. In the reviewer's judgment, the author has not allotted sufficient space to the impact of federal power policy since 1933. There is no reason to suppose that federal influence will diminish in the future. Rather, the contrary is to be expected. Regulation by competition is just as much regulation as the more traditional method of regulation by utility commissions. A more extended treatment of federal policies and federal agencies would have been appropriate. Dr. Trachsel occasionally seems in danger of ignoring a first principle which he himself stresses that "regulation, if effective, must be exercised by a governmental unit whose jurisdiction is as extensive as the operations of the utilities" (p. 522).

This study is intended to present a "public, rather than either a pro-utility or anti-utility" point of view. Dr. Trachsel has succeeded so well in remaining objective that he has given no space at all to the still burning issue of public versus private power (except in the concluding chapter on municipal ownership). Of course, this is in line with the author's conviction that the issue of ownership is one of expediency, not of principle. Dr.

Trachsel also does not emphasize the pressure activities of privately-owned public utilities. The latter have always been a potent force in blocking, emasculating, or delaying effective public regulation.

On balance, Dr. Trachsel's study is a sound contribution. His chapters on valuation and other administrative problems in regulation are excellent. The simple, clear-cut style of presentation is maintained throughout the volume.

HAROLD W. DAVEY.

New York University.

F. D. R.; His Personal Letters: Early Years. EDITED BY ELLIOTT ROOSEVELT. Foreword by Eleanor Roosevelt. (New York: Duell, Sloan and Pearce. 1947. Pp. xvi, 543. $5.00.)

These letters cover the period from the time when President Roosevelt wrote his first letter at the age of five until his graduation from Harvard in 1904. The bulk of them come from the Groton period. A very careful job of editing has been done; and following each letter is a note explaining events and identifying personalities.

These letters are a gold mine for gaining an insight into the development of President Roosevelt's character. They do not, of course, explain why he, rather than some other Groton boy, became President; but they do show the roots of the optimism, gayety, sociability, volubility, humor, conviviality, and epicurism of the man who later became President. They also furnish evidences of the conditioning process which was going on with reference to the language behavior of this future leader. He was learning the vocabularies of Christianity, the free enterprise economic system, the American democratic political system, and the military and diplomatic system of modern nationalism.

As far as his individual motivation was concerned, it stands out clearly that his distant cousin, Theodore Roosevelt, had a tremendous influence. Although Franklin Roosevelt's father was a life-long Democrat, he worked strenuously for the election of Theodore Roosevelt as governor of New York in 1898 when his son, Franklin, at the age of sixteen, was still at Groton. The atmosphere of this school was that of a British public school: the well-born have a responsibility to the state which they can discharge by public service or private philanthropies.

In these early letters, the influence of Roosevelt's mother, his classmates, his teachers, and his family and social sets are abundantly clear. He had kind feelings also for his father, who appeared to be an indulgent parent, but not so preoccupied with parenthood as was his mother.

Scholars should await with great eagerness the next two volumes in the series.

HAROLD F. GOSNELL.

Washington, D. C.

Confessions of a Congressman. By JERRY VOORHIS. (Garden City, N. Y.: Doubleday and Company. 1947. Pp. 365. $3.50.)

The author of this book was a member of Congress from 1937 to 1947. He represented the Twelfth California District in the House of Representatives until he was defeated for reëlection in November, 1946. Since then he has been executive secretary of the Coöperative League of the United States, the national federation of consumer coöperatives. While in Congress, he was a member of the House Committee on Agriculture, the Dies committee which investigated "un-American activities," the Smith committee which investigated executive agencies, the Colmer committee on postwar economic policy, and several "minor" committees. During his ten years in Washington, Jerry Voorhis earned a reputation as one of the most conscientious, hard-working, and intelligent members of Congress. Press polls rated him as the outstanding legislator from the Pacific Coast, first in integrity, and the most industrious member of the House.

This fine and absorbing book is a case study of the life of a congressman in our time. In a series of candid and revealing chapters, the author takes us through a hectic day in his first campaign, explains why he ran for Congress and how he got elected, describes the membership of the House and what he learned about the American people from their many letters to him, from which several typical passages are quoted. He analyzes the composition of the five Congresses in which he served, classifying the members as reactionaries, conservatives, progressives, and "united fronters." "The conservatives were in . . . real control all the way through" his five terms. One chapter describes the varying influence of state delegations in Congress and the reasons why, including the seniority rule, which Mr. Voorhis thinks should be abolished or modified, although he knows of no better way of choosing committee chairmen. State delegations are seen as a "divisive force" in our government because they serve special interests rather than the general welfare. The New Deal is defined as "the body of legislation passed during the presidency of Franklin D. Roosevelt." Mr. Voorhis believes that the results of this legislation will happily remain a part of America for a long time. But he censures the New Deal for failing to solve the unemployment problem, to break the power of monopoly, and to adapt the monetary and fiscal system to national needs.

Ten chapters—about half of the book—are devoted to the major legislative achievements and failures of the New Deal era and the basic economic and social problems and forces involved. Here we see the author in the thick of the fight for fair labor standards, labor-management peace, farm security, soil conservation, school lunches, a scientific monetary system (his "big crusade"), and the break-up of monopolies. These chapters vividly illuminate the great issues of that eventful decade and Mr.

Voorhis' energetic and constructive rôle in the congressional attack upon them. They include an intimate account of the work of the Dies committee and the conscientious part the author played in its investigation of "un-American activities"; a frank confession of his doubts and worries over how to vote on the vital issues of war and peace; the story of his efforts to persuade Congress to develop a national postwar planning program, and the work of the Committee on Postwar Economic Policy and Planning; and an account of the legislative battle for the control of atomic energy. Another chapter describes nine "little bills" Mr. Voorhis tried to get approved in 1946, with four of which he was successful.

Two chapters of special interest to students of Congress describe the "Congressman's job as it is" and "as it ought to be." Here we follow the congressman through a typical day on Capitol Hill with its letters, callers, committee meetings, House session, telephone calls, interviews, services to constituents, and evening home work. "If a congressman tries to do his job as that job is laid out for him today, he faces an almost impossible task." If Congress is to maintain its coequal place in the American scheme of government, Mr. Voorhis concludes, it must further strengthen its staff aids, set up over-all policy committees to prepare a national legislative program, find a better method than seniority for selecting committee chairmen, and reform the procedures of the House Rules Committee. Passage of the La Follette-Monroney bill, he thinks, was a big step forward; but "a great deal remains to be done."

GEORGE B. GALLOWAY.

Library of Congress.

The Future of Australian Federalism; Commentary on the Working of the Constitution. By GORDON GREENWOOD. (Melbourne: Melbourne University Press. 1946. Pp. ix, 316. 17s. 6d.)

This volume is a welcome addition to the literature on the Australian federal system, and students of comparative institutions, particularly of comparative federalism, will find a great deal of interest and value in it, inasmuch as federalism is being subjected to many stresses and strains under the impact of war, economic difficulty, and international disequilibrium.

Mr. Greenwood traces the course of the three constitutional conventions held in the decade 1890–1900 and indicates that certain basic problems were realized, such as the difficulty of insuring that the Senate adequately protect state rights in a parliamentary form of government, the difficulty of combining federalism and parliamentary government, the problem of an effective federalism while state railways remained under the control of the state governments. Mr. Deakin, soon after federalism, noted that although the states seemed to be protected in their legal relations, they

were nevertheless tied to the financial chariot wheel of the Commonwealth, and he early saw the danger to the states of the financial clauses in the constitution.

The history of Australian federalism reveals many striking developments. The High Court, by a shift in its interpretation, has profoundly affected the balance of the constitution, and the author examines many cases to illustrate the point. The referenda have shown the Australian people to be surprisingly conservative when called upon to amend their constitution, even though they have frequently voted for Commonwealth labor governments which have consistently attempted to expand federal powers. Greenwood's analysis of the workings of the referendum makes interesting reading, and indeed he raises the question whether the referendum is invariably a satisfactory method of constitutional amendment, since it is difficult if not impossible for many citizens to divorce the broad question of federal vs. state powers from the more immediate political question of this or that party's political program. The difficulties of divided jurisdiction are set forth, especially those dealing with the arbitration of industrial disputes and the problems of marketing which led to some of the most debated cases before the High Court and the Privy Council.

Perhaps the most significant experiment in Australian federalism is found in the establishment and working of the Commonwealth Grants Commission, a body of independent experts set up in the early 1930's, which year by year has examined applications made by the states of South Australia, Western Australia, and Tasmania for financial assistance from the Commonwealth under Section 96 of the constitution; and the author sets forth some of the problems which confront this important body. Article 96 may contain, as Professor Bailey has remarked, "the mechanism of Commonwealth supremacy," for the High Court upheld the Grants Act and the Tax Act of 1942 without reference to wartime powers. Greenwood's general view is that modern conditions demand a "bestowal upon the Central Government of a measure of power sufficient to regulate the economic life of the nation," and that "a constitutionally rigid division of powers between national and provincial authorities is no longer consistent with effective regulation of industry, or the maintenance of a national standard of performance."

Some readers may wish that the author had arranged his material somewhat differently and had subdivided headings a little more generously. A different arrangement might have added to the clarity of the analysis. But these are minor matters in a book which has well fulfilled its major purpose.

LINDEN A. MANDER.

University of Washington.

Geschichte der Weimarer Verfassung. By Willibalt Apelt. (Muenchen: Biederstein Verlag. 1946. Pp. xii, 461).

This volume presents the first critical evaluation of the Weimar constitution to appear in post-Nazi Germany. The author, now professor of public law at the University of Munich, was a collaborator of Hugo Preuss, "father" of the Weimar constitution. As a teacher of government under the Republic, Mr. Apelt was a careful observer of the working of the constitution and as a one-time minister of the interior of Saxony he participated in the attempts at reforming the federal structure of the Reich.

The first part of the study is devoted to a short, and not very original, critique of Bismarck's constitutional creation and to an account of the political events and processes that led to the making of the constitution of 1919. The main portion of the book analyzes the solution which the Constituent Assembly of Weimar adopted for such problems as the territorial division of power, the distribution of powers and functions among various agencies, and the elaboration of a twentieth-century bill of rights. Mr. Apelt traces the development of constitutional practices and theory throughout the Weimar period before, in a concluding part, he describes the futile efforts at overcoming some of the most obvious shortcomings of the constitution and the gradual breakdown of representative government in Germany.

The author hopes to see his book in the hands of the educated German public rather than in those of the constitutional lawyer and political scientist. (For this reason he has kept bibliographical references to a bare minimum.) And if there are enough Germans to direct their attention to a careful and also extremely pedestrian account of the defunct Republic, the study will prove very useful. Outside of Germany, those chapters will be of interest that deal extensively with the problem of German federalism. The author, quite remarkably for a full professor at the University of the Bavarian capital, criticizes with much pertinent evidence the trends toward extreme federalization of the Reich and the particularist endeavors which during the life of the Republic prevented structural reforms. In favor of a decentralized unitarian state, he demonstrates how too extensive prerogatives of the German *Laender* ultimately provoked the dangerous over-centralization of the Nazi state.

Professor Apelt's book deserves particular attention as a testimony to how the ill-fated experiment of the Weimar Republic appears to a competent German scholar after twelve years of Nazi dictatorship that have led to the dissolution, at least temporarily, of a sovereign Germany. But as such a testimony the book has also its greatest shortcomings. That the author should have had no knowledge of the extensive writings that were published after 1933 outside of the German borders with reference to the constitutional and political history of the Weimar Republic, is quite

understandable. (From books such as this it becomes once more evident that there is no hope for the intellectual reorientation of the Germans without first overcoming their complete isolation from the outside world, and also that this cannot be effected without literally pouring into Germany books published abroad. What Military Government authorities are doing in this respect amounts to but a trickle.)

While the author cannot be held accountable for ignoring the results of research to which he had no access, his entire treatment suffers from an inability to consider the problems of constitutional order with an eye to the more fundamental political and sociological problems. He is willing to fasten responsibility for the downfall of the Republic on individuals and fails entirely to assess the rôle which bureaucracy and pressure groups played in wrecking the constitution. He intelligently considers advantages and disadvantages of various electoral systems, but his discussion of the rôle of political parties in the framework of the modern state is most unsatisfactory.

The constitutional history of the German Republic has yet to be written. Mr. Apelt's study will be considered a worth-while contribution to such a work, which, however, must draw on German documents hitherto unavailable, and on the analyses furnished by American and other non-German scholars while Germany was shut off from the outside world.

HENRY W. EHRMANN.

University of Colorado.

And Call It Peace. By MARSHALL KNAPPEN. (Chicago: University of Chicago Press. 1947. Pp. viii, 213. $3.00.)

What is American Military Government in Germany really like? How does it strike "professors in uniform" who work for it? How can the American public be given an adequate appreciation of the problems and headaches which daily confront MG? Books answering these questions have begun to appear. To Harold Zink's *American Military Government in Germany* (see this REVIEW, Vol. 41, pp. 1001–3) is now added an interesting volume by Professor Knappen of Michigan State College, who, during World War II, laid aside his academic robes to don the uniform of a lieutenant colonel.

In Military Government parlance, "ERA" means "education and religious affairs." Dr. Knappen was intimately associated with ERA from its beginnings down to April, 1946, when he returned to the United States. He served as chief of the Religious Affairs Section and deputy chief of the Education Section of the Office of Military Government for Germany (U. S.) and its predecessor organizations. In one sense, he has written a "history of the outfit," but it is far from being the usual official history from which all discordant notes have been eliminated. On the contrary,

the author lays about him with a will and a wit, paying his respects to "the Brass," the Regular Army, the occupation troops, the "bright young civilian employees of the Treasury Department . . . big with a sense of their importance as missionaries for the Morgenthau Plan," and many others. ERA was chronically and pitifully understaffed. It was treated as a kind of stepchild, with little understanding of the great, long range contribution which it could make to the reorientation of Germany.

The most valuable chapters of the work are those dealing with ERA's contacts and activities with Germans. How were school buildings, textbooks, and other supplies provided? What was done about denazification of teachers and clergy? How were new teachers trained? How successful was the program for German youth? One also finds pen pictures of leading German ecclesiastics, the chapter on Pastor Niemoeller being especially good. The discussion of these topics might well have been expanded, since too little is known about them in this country.

And Call It Peace is a pessimistic and critical study. "If the Roman legions had sometimes made a desert and called it a peace, we could make a pasture and do likewise" (p. 54). It too much reflects the trends present in the first years of Military Government. After that, a change for the better took place. Morgenthauism is dead. There is now a much greater social consciousness and sense of mission among MG personnel, high and low, than there was before. At the same time, a better reporting job is being done in the American newspapers. Dr. Knappen's book, therefore, should be read for the historical background of MG in Germany, and not as present description.

ROGER H. WELLS.

Bryn Mawr College.

A Manual of International Law. By GEORG SCHWARZENBERGER. (London: Stevens and Sons, Ltd. 1947. Pp. l, 428. $7.50.)

The Crisis in the Law of Nations. By H. A. SMITH. (London: Stevens and Sons, Ltd. 1947. Pp. 102. 7s. 6d.)

These two volumes provide timely discussions of present-day problems in the field of international law and reflect transitional thinking which is the natural aftermath of the war. The books are somewhat different in their general plan and purpose. One, although largely designed as a teaching aid, sets forth a rather definite point of view and treats broadly the entire field of the law. The other treats of basic features of the law, and of the law's function in the light of conditions which are thought to threaten seriously the fulfillment of that function.

Professor Schwarzenberger essays, as an educational aid, a synopsis rather than a panorama (p. xi), and presents it with effectiveness in his Part I, comprising 152 pages. In the course of this, he offers many sug-

gestions which, while not entirely new, merit reëmphasis, e.g., that international law has frequently offered excuses to states which wished to cloak their designs in quasi-legal garb (p. 2); that only on the "lowest level" are judgments of municipal courts merely evidences of national attitudes to international law (p. 17); that treaties of commerce have been very useful in laying down minimal standards for the treatment of individuals (pp. 35, 44 et seq.); that there is a great variance in the extent to which public international enterprises are accorded international personality in the legal sense (p. 115). On a more controversial matter, the author submits that, in principle, "states are free to replace as between themselves any rule of customary international law by other rules" (p. 63); he takes the position that it would be premature, as yet, to overemphasize the desirability (and likelihood, in an international society more highly integrated than the present interstate system) of developing principles which might limit this process (pp. 12, 63). In the opinion of the reviewer, it is questionable whether, merely because jurisdiction in each case depends upon the consent of the parties concerned, "the distinction . . . between compulsory and voluntary arbitration is misleading" (p. 111); the time relation between the occurrence of a dispute and the commitment to arbitrate it would seem to point to a rather fundamental point of difference.

In Part II, comprising nearly two hundred pages, Professor Schwarzenberger has provided a series of useful Study Outlines, corresponding to the chapters in the preceding part of the book. Questions and problems are included, and listed are documents, books, articles, and judicial decisions. Bibliographical lists are up to date and should be of great assistance in providing guidance for students.

Other features of Professor Schwarzenberger's volume are Part III, on "Material for Further Reference" (bibliographical, and comprising eighteen pages), an appendix showing membership of the principal organs of the United Nations, a table of cases (thirteen pages), a table of multilateral treaties, a table of statutes and orders, a glossary of terms and maxims, an index of persons, and a subject index. The whole brings together in one volume an extraordinary quantity of valuable teaching material.

Professor Smith's book incorporates the substance of lectures delivered at the University of Istanbul, in addition to a paper previously published, and a final chapter on "The Problem of Rebuilding." In the course of his opening chapter, on "The Problem of Change," the author says of certain rules which antedated World War I, and which were expounded by textbook writers in the period between the two World Wars, that "in 1939 this unreal and fictitious structure collapsed almost at once" (p. 15). In a chapter on "The Danger to the Foundations," he discusses (1) the loss of

unity (in the sense of a common faith, a common culture, agreed standards of right and wrong, and a common inheritance of law) which began with the Bolshevik Revolution in Russia in 1917, and (2) totalitarianism and its effect, particularly on the right of the individual and on private trade. An instructive chapter on "The Process of Change" contains the suggestion that to the purely legal mind anything novel is likely to appear illegal (p. 40); that in the development of law by custom someone has to take the initiative—and the criticism (p. 42); and that custom is effective as a means of developing the law within limits set by reason and justice (p. 42). A chapter on "Some Problems of Maritime Law" is followed by one on "War in Three Dimensions." There will doubtless be considerable disagreement with the author's position, in this connection, that the old distinctions between contraband and non-contraband, between the property of the state and the property of the individual, have become obsolete (p. 74). In his chapter on "Law in the United Nations," Professor Smith submits that in the making of the Charter international law and its exponents were thrust into the background (p. 82), and that the Charter expresses the doctrine that supreme power is above all law (p. 89).

The volume usefully emphasizes that law should not be—as the author believes it is regarded in Nazi and Marxist doctrines—the mere form or agency through which power translates itself into action. The author feels that the present disunity of mankind is something for which civilized history affords no precedent, and that what is necessary in order to save the world is a common standard above the human level by reference to which all human conduct can be judged (pp. 101–102).

ROBERT R. WILSON.

Duke University.

The New Foundation of International Law. BY JORGE AMERICANO. (New York: The Macmillan Company. 1947. Pp. xvi, 137. $2.50.)

The thesis of this little volume by a leading Brazilian jurist and educator is that the classical law of nations is a failure because it is not based on justice nor backed by an international organization nor applied with equity in the practice of states. "What is needed, therefore," it asserts, "is a reform of its foundations, basing it on justice, like all other branches of law" (p. x.). What its author actually does, however, is to dismiss this law altogether at the outset, then trace the bare outlines of a new and moral international law and of an effective international organization, and discuss education as the means to their achievement and preservation. Accordingly, Part I (pp. 1–58) of the book attacks the fundamentals of this new international law. These are the scope, the object, the rule, and the subjects of this law; international property and property of an international value; and international juridical facts. The central ideas of

this part are that the new international law must cover all those aspects of human relationships ordinarily governed by municipal law; that the end of this law is to guarantee human dignity and freedom; that, for this reason, not only the superstate and its autonomous affiliates or nations and groups of nations, but also the individual, must be recognized as international persons; that the open seas and air and their means of access, as well as strategic bases and materials, are to be internationalized in one form or another, and that both war and neutrality are international crimes. Part II (pp. 59–77) deals with the organization of the new international community. Except for its hope that this society may be transformed into a superstate capable of enacting and enforcing international law, and for its voting formula attempting to balance culture and political power, this part merely endorses Dumbarton Oaks and comments briefly on it. Part III (pp. 79–137) revolves around the belief that education everywhere for and in democracy and against war psychosis and nationalism will make possible and nourish this new international organization and law.

As this brief summary indicates, the volume is an exposition of neither past nor present international organization and law, nor of any significant portion thereof. Nor is it a contribution to the study of international politics or of the causes of wars. It is, rather, a plea for the ideas which it endorses. As such, it has all the merits and defects of a legal brief. It is, for instance, eloquent in its ardor for the rights of man and for democracy. It is equally emphatic in its rejection of the villainy of dictators and dictatorships, particularly of those existing after the fighting stopped in the recent war. But it has also a pronounced tendency to treat lightly or not at all those troublesome facts which have hitherto obstructed the march to triumph both of the supernational law which this book actually espouses and of the superstate for which it campaigns. Above all, it places far too much emphasis on the efficacy of education as a panacea for securing the peace.

GEORGE MANNER.

University of Illinois.

Inside Pan-Arabia. BY M. J. STEINER. (Chicago: Packard and Company. 1947. Pp. xv, 237. $3.00.)

This timely book is far from being a cold truth-seeking scientific study. For instance, the author says (p. 208): "But any toying with an explosive political idea in this vital area at the cross-roads of three continents may seriously jeopardize the peace of a new and free world." Mr. Steiner here warns vigorously against Pan-Arabism, and fails to see that the Jewish political Zionism which he elsewhere eloquently supports precisely and immediately fits his picture. In fact, the book has a distinct propagandist

flavor, cunningly playing down the Arabs at a hundred points, and deftly working in favor of making Palestine, enlarged to include Transjordan, into an independent Jewish state.

A reader who is forewarned can, however, find much that is interesting and valuable about the actively complicated Middle Eastern political, economic, and social situation. Mr. Steiner has great knowledge of the old and continuous history of that crucial portion of the world, of its recent economic and political episodes, of its local leaders, and of imperial interests there. He does not really pretend to answer the questions on the book's jacket about the relation of Arabian oil to the prospects of a new world war, the pretensions of the U.S.A. and the U.S.S.R. to become Moslem powers, the threatened collapse of the British Empire in the Middle East, and the British retreat to a firm foothold in the Sudan. He ends his text with the wise Arab maxim: "Only Allah knows."

Five chapters of the book give a spirited brief history of the Arabs to 1918; six take up in succession Saudi Arabia, Syria, Iraq, Palestine, Egypt, and North Africa; three deal with the Arab world's relation to Mussolini, Hitler, and the Mufti Haj Amin al-Husseim; and three present the Jewish side of the Palestinian problem, the alleged mythical character of Pan-Arabism, and a distinctly unfavorable view of the Arab's approach to democracy.

Mr. Steiner is inclined to emphasize the weaknesses of the Arabs, such as intolerance, lack of unity, illiteracy, concentration of wealth, and resistance to modernization; and to pass over their strong points, such as hospitality, intensity, tenacity, and courage. He depreciates their capacity for leadership, because they have not lately produced a Ghandi or a Chiang Kai-shek (p. 199); yet he mentions a dozen leaders, several of whom are of increasing influence, such as Abdur-Rahman al Azzam, Ibu Saud, and the Mufti, who is rightly blamed for coöperation with the Axis.

The author has the unfriendly attitude toward Britain that is common among Zionists (pp. 112, 187 *et passim*). Instead of gratitude for the Balfour Declaration and the protection of Jewish immigration into Palestine, so that in twenty-five years 90,000 Jews became 600,000, Mr. Steiner accuses Britain of breaking faith and of acting only in support of selfish imperialism. He charges Britain with creating the Arab League in her own interest (p. 205), whereas the real artifice of that League, by self-defensive reaction, is militant Jewish Zionism. The attempt of Britain to solve the Palestinian problem through the plan of the White Paper of 1939 is heartily denounced (p. 121); nevertheless it prevented internecine strife during eight years; and should the attempt of the United Nations toward partition fail, it may yet serve as the pattern for a peaceful and united Palestine.

A few errors have crept in: Russia has not "gained vital oil concessions in northern Iran" (p. xiii); Central Arabia was never a "province of the Ottoman Empire" (p. 24); the Italians in 1912 actually shelled Beirut, not Constantinople (p. 39); a Sharif (or Sherif) is one believed to be descended from the Prophet Mohammed (p. 55, n. 1); "students of Arab history" can hardly agree that "the Arabs have never been an empire-building people" (p. 199), nor that the Egyptians "have actually nothing in common with the Arabs" (p. 124). Greater uniformity might have been obtained in transliterating Eastern names, and the proof-reading could have been more accurate.

ALBERT HOWE LYBYER.

University of Illinois.

Old China Hands and the Foreign Office. By NATHAN A. PELCOVITS. (New York: King's Crown Press. 1948. Pp. xi, 349. $3.75.)

This excellent study (published under the auspices of the American Institute of Pacific Relations) has, as the title indicates, a restricted scope. Nevertheless it throws light on aspects of British policy as well as on the success of the Old China Hands, in England as well as in China, in influencing policy. It is made quite clear that that influence was greater in the formulation of commercial policy than on political questions, even when the latter had an admixture of the commercial. If the reader feels that there is an undue repetitiveness in the book, he should return to the first page to be reminded of what is adequately documented. This is "that what the forty heads of Manchester firms wrote to Lord Palmerston in 1839, British merchants in Shanghai could repeat to Lord Elgin in 1858 and again to Sir Rutherford Alcock in 1868; and the China Association could take up the identical refrain in 1898 and 1906" (p. 1).

The basic premise of the Old China Hands was that there were enormous potentialities in the China market. To realize these potentialities, it was necessary that China should be generally opened to foreign trade and residence (but without modification of the extraterritorial system). They consistently held that the proper enforcement of the Tientsin treaty would give them "everything from abolition of internal taxes to a comprehensive privilege of trading and residing throughout the whole of China" (p. 6.). In this enforcement they wanted the British government to apply pressure on local officials, rather than to act through, and thus in support of, Imperial authority. They predicated the essential backwardness of the Chinese, although attributing to them, outside of officialdom, a willingness to make "progress" under proper guidance and direction. This direction toward reform, thought of as involving the building of railways, the introduction of steam navigation on the inland waterways, and the improvement of the fiscal system, should be given by the British government, if necessary "Indianizing" China.

The major premise of the merchants was rejected by the Foreign Office and the Board of Trade; the government consequently following, after the signature of the Tientsin treaty, what the author calls a policy of limited liability. "Thus the twin principles of reducing contacts with the natives and of holding the central authority responsible for the good order and observance of treaty rights did not originate with the advent of Lord Clarendon to the Foreign Office (as alleged by the Old China Hands). They became official policy soon after the signing of the treaty of Tientsin when the Board of Trade convinced the Foreign Office that Britain should cut her commitments in China" (p. 31.) Attempts were made to secure specific additional rights of trade and intercourse, but through treaty revision rather than through "enforcement" of the unrestrictive interpretation of the Tientsin treaty.

The author examines in detail the attempts of the Old China Hands to bring pressure to bear to secure acceptance of their views. The instruments of pressure were the Shanghai and Hongkong as well as the home chambers of commerce, until the formation of the China Association, when it largely preëmpted the field. He also examines the relationship when the problem changed from one of commerce to that of securing concessions while protecting commerce within spheres of interest. Even here, where international rivalry had supplanted Chinese "backwardness" as the problem to be solved, he shows the Old China Hands essentially as incapable of learning any new forms of behavior.

HAROLD M. VINACKE.

University of Cincinnati.

The World and Africa; An Inquiry into the Part Which Africa Has Played in World History. By W. E. BURGHARDT DUBOIS. (New York: The Viking Press. 1947. Pp. xii, 205. $3.00.).

Liberia; A Century of Survival, 1847–1947. By RAYMOND LESLIE BUELL. (Philadelphia: University of Pennsylvania Press. 1947. Pp. viii, 140. $1.50.)

Superficially, there is little in common between the late Dr. Buell's *Liberia; A Century of Survival, 1847–1947*, and Dr. DuBois' *The World and Africa*. The first is a factual, pedestrian study of Liberia by an eminent white student of colonial problems; the other is a fiery exposition of the importance of Negroes and black Africa in world affairs, written by a distinguished colored student of Negro problems. Both authors are learned, and both show worthy consideration for the underdog; both respect the strength and soundness of native institutions. Neither reveals fully the profound anthropological approach which characterizes many contemporary books on colonial peoples.

Buell's *Liberia* is Number 7 of the "African Handbooks" series pub-

lished by the University of Pennsylvania Press. Half of its 140 pages is an appendix of documents. Although its title indicates that Liberia is covered to 1947, the preface is dated December, 1945. Buell's initial chapter arrests our attention with an exhibit of America's large postwar commitments in Liberia in the shape of health and economic missions, the Firestone program, iron mine exploitation, and the construction at United States' expense at Monrovia of a port and American naval base. The country's conditions are deplorable—illiteracy, poverty, exploitation of the natives, and a corrupt and inefficient governing class of Americo-Liberians kept in power by corruption and United States support. Buell is at his best in analysis of our past policies and in his proposals for the rehabilitation of Liberia. He would replace our piecemeal program of dubious legality with an integrated, legal program of economic, health, and political assistance supplemented by a West African regional council. "The problem of Liberia," he holds, "is not to improve a colony, but to strengthen the foundations for independence."

DuBois employs every scrap of evidence to improve the standing of Negroes. He does this by stressing the importance of Africa, by arguing that many cultures and peoples, presumably white, have been significantly influenced by Negroes, and by blaming white exploitation for today's condition of colored peoples. His style is detailed, vigorous, emphatic; indeed, he overstates his case and alienates by his violent assertions and strained evidence. Thus he accepts Marco Polo's statement that Madagascans are blacks. Yet his plethora of dubious or slight allusions to Negroes have a powerful cumulative effect. Some of his argument is weighty. Witness his account of Sudanese accomplishments and of the rôle of Negroes in ancient Egypt. DuBois is most successful in his appraisal of the slave trade and in his proposals for truly freeing Negroes and all other peoples by advanced economic and democratic systems.

His book is rich in references to little known works and events. Often, only a specialist in Negro history or in anthropology can judge his conclusions effectively. This book would teach most political scientists much about the historical importance of colored peoples, but it would leave them confused as to the precise extent of their influence. After all, DuBois is suggesting a new frame of reference. We need a more clear, more dispassionate, larger account of Negroes than *The World and Africa*. Both books reflect the enlarging interest in colonial and minority questions; and in their concern for minority groups and their respect for native institutions and cultures, they show that scholars, white and black, are more nearly in agreement than we may think.

GARLAND DOWNUM.

Arizona State Teachers College.

Men of Law. By William Seagle. (New York: The Macmillan Company. 1947. Pp. 591. $5.00.)

This is a very attractive and cleverly done biographical dictionary of a group of judicial statesmen who as writers, legislators, or jurists have been creators or reformers of the law. Into these brief biographies (adequate, however, for the purposes of the author) has been woven the web of the economic, social, and political factors which have made the law and furnished the opportunity for the spokesmen of the law to serve as the mouthpiece of these creative forces. The story of the law is told in a simple and attractive style, interspersed with significant quotations from literature, anecdotes, and even love affairs which are sometimes made the turning points in the development of the law. The author has displayed considerable genius in stripping the subject of its technicalities and in producing a book which is easily within the understanding of the layman, but which does not provide a dull moment for even the legal eruditionist. In this respect, the author has made a contribution to the literature of the law. Undoubtedly, there was no intention of attempting a contribution to either the law or jurisprudence.

The figures selected by the author to be used as the means for portraying this connected story of the evolution of the law are, in chronological order: Hammurabi, Solon, Gaius, Justinian, Grotius, Edward Plantagenet, Thomas Egerton, Sir Edward Coke, Sir William Blackstone, Caesare Bonesana, Jeremy Bentham, John Marshall, Rudolf von Jhering, and Oliver Wendell Holmes. It is obvious from this list that the author does not emphasize exclusively the work of great jurists or that of great practitioners, but also that of theorists, writers, and critics of the existing legal order such as Bentham, who undoubtedly was the greatest legal reformer of all time, but who in some respects was intellectually unbuttoned. While possibly no two legal scholars would make the same selection of men for such a book, it does not follow that the selection of the author is not especially adapted to his purpose. Each of the great legal systems has at least one representative, while the common law has several, and American constitutional law is undoubtedly represented by its two most able exponents.

The book is not an analysis of legal systems as such, but rather an account of the social forces and processes which made the law and forced changes in the law and its administration. It shows how and why the purposes and ends of the law changed as civilization changed. The land law of feudalism was totally inadequate for the commercial revolution, and the industrial revolution and the age of corporations likewise required their special legal orders.

The author is especially critical of John Marshall and his "manipula-

tion" of judicial review. Some of his statements amount to an injection of his economic theory and may well be challenged as to historical accuracy. In some instances, certain material is chosen in preference to other material from the same source which would not so effectively sustain his point of view. After deprecating Marshall's lack of both academic and legal training, and practically charging him with prostituting himself in his decisions in the interest of the property-holding class, even setting a precedent in his own interest (after enumerating the circumstances which gave rise to Fletcher v. Peck), he says: "Since John Marshall ignored all those circumstances, it is fair to surmise that as one of the holders of the title to the Fairfax estate, which rested upon the shaky foundation of a pre-Revolutionary British grant, he was *vitally interested* in establishing a precedent for the security of titles" (p. 294, italics mine). He states that Justice Holmes did not think too highly of Marshall, quoting him: "I should feel a greater doubt whether, after Hamilton and the constitution itself, Marshall's work proved more than a strong intellect, a good style, personal ascendency in his court, courage, justice, and the convictions of his party." The author, however, would have left a very different impression of Marshall if he had quoted the following from Justice Holmes: " . . . but when I consider his *might*, his *justice* and his *wisdom*, *I do fully believe* that if American law were to be represented by a *single figure, sceptic and worshipper alike would agree without dispute that the figure could be but one alone, and that one John Marshall.*" (*Speeches*, 1934, p. 90.)

The author thinks that judicial review is a doubtful implication from the constitution, and that, but for Marshall, it might not have been used, whereas other judges had already used it. He thinks that the cases in which Marshall used it were "trumped up" except that of Gibbons v. Ogden, and that its main purpose was to protect property rights despite the fact that in the above case it was used to destroy a monopoly. In fact, he thinks that Marshall's nationalism was a mere coverage for property rights, and that Story was too weak to resist Marshall's influence. In fact, Story was more of a nationalist than Marshall.

"The greatest of all the pressures for judicial review, however," he says, "was not so much political as economic" (p. 274). How would he explain the fact that Sam Adams, Patrick Henry, and Thomas Jefferson—three outstanding radicals—were strong advocates of judicial review, the latter suggesting in a letter to Madison from Paris while the Convention was sitting that it was the proper method for harmonizing the federal principle rather than giving to Congress the power to repeal the acts of the states as was proposed by the Virginia plan.

The author evidently belongs to the School of the Realists. He feels that administrative law is the chief contribution to the jurisprudence of our time, and that its main purpose is to protect the public from the property-

holders. He seems to regret that its development was interrupted by the abolition of the Star Chamber of the Tudors and Stuarts, by means of which they took off the heads of 72,000 Englishmen and were in a fair way of establishing absolutism over the English people.

The author feels that Justice Holmes was always free from the trickery of Marshall and, unlike Marshall, never read his politics into our constitutional law. He thinks that Holmes occupies a much more permanent place in the development of our jurisprudence, and that he is the outstanding example of the truly judicial mind in our history and ranks with the great jurists of the ages.

C. PERRY PATTERSON.

University of Texas.

Masters of Political Thought—Machiavelli to Bentham. BY W. T. JONES (Boston: Houghton Mifflin Company. 1947. Pp. 388. $3.75.)

This second contribution to the late Professor Edward M. Sait's projected three-volume series sustains that editor's expressed purposes in initiating the plan. As with Vol. I, *Plato to Machiavelli* (See this *Review* Vol. 35, p. 818), the ideas of the chief political thinkers of the period are presented by means of excerpts, supplemented by the author's comments so as to explain but not supplant the actual texts. Dr. Sait contended that such a medium would be superior to the conventional textbook approach, especially in undergraduate courses where limitations of time and library resources precluded student use of original works in their entirety.

Dr. Jones, a professor of philosophy, is an Oxford graduate and well qualified for his task. While one may not concur in all of his interpretations, the author has succeeded in analyzing with admirable skill and effectiveness the basic structure of each of the eight systems considered —Machiavelli, Bodin, Hobbes, Locke, Montesquieu, Burke, and Bentham.

Political scientists may wish to question the author's viewpoint, expressed in the introduction, which appears to relegate their rôle to that of fact-finding and holds that "to try to understand, interpret, and evaluate these facts by putting them in relation to other kinds of facts . . . " is the prerogative of the philosopher. Such a challenge to the traditional scope of the political scientist's work should not go unremarked, though there is not space here to press the issue. It may be noted, however, that Professor Friedrich's summary of instruction and research in political science in the October, 1947, issue of this REVIEW points to the preservation of the "common core of basic understanding" of present-day political scientists by "a firm and constant emphasis in teaching and research upon the history of political theories. . . . "

Other debatable features of the book are largely matters of individual taste. Why, for instance, were not Hobbes and Locke "translated" into

modern English to make the book consistent? There is, to be sure, something to be said for preserving the original "flavor" of any work—from a literary standpoint. But is the student of political theory so concerned—especially when the flavor intrudes, however slightly, on the smoothness of exposition? Are the bibliographies at the end of successive chapters appropriate for American college libraries? The references are mostly to English works not likely to be available in the smaller American colleges where doubtless the book will be most useful. It might be said in reply that any competent instructor will be aware of the more obvious sources, while the references listed furnish the more ambitious student with leads that might otherwise be overlooked. Why does each volume of the series overlap with the succeeding volume? Machiavelli is treated by both Foster and Jones, and presumably Bentham will be repeated in McGovern's third volume. This might well be justified as tying the series together if a separate aspect of each were considered, but in the case of Machiavelli, although the approach is different, the biography is repeated and some identical passages are selected for quotation, Foster using the Thomson translation and Jones using Ricci.

The above criticisms should not obscure the fact that this volume, like its predecessor, is a welcome and valuable instructional aid. The reviewer has used both in senior courses in political theory and can report that student response has been highly favorable, particularly in regard to the manner in which Professor Jones has handled his commentaries. Dr. Sait's vision is bearing fruit.

D. MACKENZIE BROWN.

Santa Barbara College.

BRIEFER NOTICES

AMERICAN GOVERNMENT AND POLITICS

In his *This is My Story* (McGraw-Hill Book Co., 1947, pp. xiii, 379, $3.00), Louis Francis Budenz undertakes to explain why he joined the Communist party in 1935, to outline his experiences as a prominent figure in it for the decade that he was a member, and to reveal his reasons for withdrawing from it in 1945. Apparently it was the shift to the "popular front" policy that attracted him in the first place. Nevertheless, the reader is left somewhat puzzled since, through long years of experience with other political action groups, Budenz was already fully familiar with Communist party tactics and had found them irritating. Even so, he says (p. 127) that he "did not dream" that membership "would enmesh" him "in a thought-controlled world." And, after joining the Stalinist party, he was surprised to discover that the policies of the Central Committee were dictated largely by representatives of the Communist International.

Moreover, he never ceased to be surprised that each time Browder went to Moscow the party line shifted. And yet these discoveries did not deter him from staying on to serve the party in increasingly important capaccities, including membership on the Central Committee and the managing editorship (for more than five years) of the *Daily Worker*. Nor did they deter him from believing that he could reconcile the objectives of Communism and Catholicism. His exit from the party was more dramatic, if less impulsive, than his entrance into it. As early as 1943, he decided to return to the Catholic church, from which he had been excommunicated for marital complications. Still he continued his editorship of the *Daily Worker*, acting in a sense as an outsider on the inside. The final culmination of his intention to withdraw caught the party leaders as short as some of the shifts in the party line. The *Daily Worker* continued to carry his name on the masthead after other newspapers and the radio announced his withdrawal and return to the Catholic church. The publicity on the cover states that "Mr. Budenz has exposed some startling facts about the Communist party in the United States." To those who do not know that the Communist party line shifts from time to time, that it is determined largely in Moscow, and that the shifts sometimes catch the party workers in this country unprepared, the book will be revealing. To those already familiar with these facts, the volume will be valuable largely as the fascinatingly strange story of Mr. Budenz—of his rationalizations, mental conflicts, and mental hair-splittings.—E. ALLEN HELMS.

There is an old saying that where the tariff is concerned the free trade economists win all the arguments but the protectionists get the votes. For a century, the debate has gone on in the United States, with the economists showing conclusively that lower tariff rates and fewer restrictions on trade make for a greater exchange of goods and services—and that this in turn makes for greater prosperity, a higher standard of living, fewer monopolies and special privileges; and that, internationally, the same freedom of exchange makes for less friction and a greater chance for peace. But at election time all such sane arguments are summarily brushed aside by such patriotic-sounding catch-phrases as "protect the American laboring man and the American standard of living for workers," etc., etc. At a time when the United States stands in a position of potential world leadership, when she can well compete with the production of any nation, and when world commerce and trade need to be freed from innumerable shackles, there comes another volume which modestly makes no claim to originality, but which seeks only to take this most important public policy question of our times and bring it up to date. And since most congressmen are too busy (or too lacking in economic literacy) to read the arguments of the academicians, the author has put his message in a most readable,

journalistic style. Oswald Garrison Villard's *Free Trade—Free World* (Robert Schalkenbach Foundation, 1947, pp. x, 278, $3.00) is the latest attack upon the citadel of the protectionists. Not since David L. Cohn's *Picking America's Pockets* (1936) has the subject been treated with such fluency. The author stresses the necessity for tariff reform in the interest of peace, and as a duty which the United States owes itself. He emphasizes the immoral side of our past tariff policies, the trickery of invisible tariffs and quota restrictions, and the growing revolt among those who are beginning to see the light. He explodes again the myth of the "menace" of cheap foreign labor and other fallacious arguments of the protectionists. He points out that the tariff is "the enemy of our ships;" it is the robber of our farmers; and it handicaps our automotive and other industries, which are coming to depend more and more upon foreign markets. Finally, the author concludes that our last chance to save democracy is involved in this matter of freer trade. Unhappily, this volume, like most others dealing with the subject, may be read only by those who need no convincing, and passed over by those who should heed its warning. It should be prescribed reading for congressmen who are concerned with the public welfare.—JOHN DAY LARKIN.

One of the historical studies on war administration is *The History of the Office of the Coördinator of Inter-American Affairs* (United States Government Printing Office, 1947, pp. viii, 284). Printed on large double-column pages, and containing about forty exhibits and illustrations, it makes the appearance of an impressive publication. There has been much discussion of the validity of the CIIA as one of the many alphabetical agencies established at Washington just before and during the Second World War. Whether an additional agency, notwithstanding the Pan-American Union, the Latin American agencies of the Department of State. and other establishments giving attention to that important quarter of the world, was needed remains an undetermined issue. Franklin D. Roosevelt, who in most cases was his own Secretary of State, and who took increasing pride in his "Good Neighbor" policy, frequently implemented his foreign policies by acts and through channels not in keeping with the organization and traditions of formal diplomacy. CIIA seemed essential to our Hemispheric policy, or at least to his conception of it. The student of history will find this to be, in the main, a factual, objective study, and one which must be taken into account in any general consideration of that undertaking loosely called America's "war effort." This is especially true of the "Hemispheric phase" of that effort. Part I deals with "Operations," a rather dull section setting forth the devices, ways and means, services, and techniques of the CIAA. It is the usual dismal account of agency "procedures." Part II, concerned with organization and administration,

treats of function as well, and proves at times a lively discussion not only of what was done, but of why it was done. The account of the agency's philosophy and authority and its relations with cognate United States war agencies is, to the reviewer, the most interesting part of the history. The administrative methods revealed are as intriguing as those of any governmental agency. Instead of a preface or an introduction which really prepares the reader for what is to follow, there is the usual "letter of transmittal" by the chief executive officer and the "letter of presentation" by the immediate executive officer—in this case the Historical Officer of the CIAA. Several pertinent documents are appended. On the whole, this is a fairly valuable work, unfortunately cast in the mold of the inevitable government publication.—CHARLES E. MARTIN.

Much information of varying interest is contained in *The National Policy Committee; Its Story, Its Technique, Cross Country Comment on Labor-Management Relations* (Washington, 1947, pp. 152, $1.00). Three diverse objectives are sought in this publication. First there is an historical account of the National Policy Committee throughout its brief but stimulating life. Closely linked to this is an equally intriguing description of the technique of organization and operation of the Committee in the later 1930's and early 1940's, as a type of citizen's group with no ostensible axe to grind except that of mutual development of information upon civic issues. Less direct in approach, more loosely knit, is the last of the three parts into which the pamphlet is divided. Here an attempt is made to set forth the course of discussions on labor-management problems in a series of conferences held in various centers across the breadth of the United States. Interesting enough these off-the-record sessions must have been in the flesh and blood of their actuality; as transcribed here with careful anonymity of participants preserved by a coded reference system of identifications, they have a distinct suggestion of never having come off as alleged. Despite this serious shortcoming, this study of the National Policy Committee and its operations has usefulness for the student of civic organizations.—CHARLES W. SHULL.

That *The President and His Staff Services* (Public Administration Service, 1947, pp. 26, $1.00), by Fritz Morstein Marx, was written for foreign readers is suggested by the statement in the first paragraph that "the President of the United States is his own prime minister." The paper, in fact, was prepared for presentation to the International Institute of the Administrative Sciences (Brussels) by the American Section in preparation for the first postwar Congress in Berne, Switzerland. The pamphlet will prove useful, as well, to American students of government. The author's main purpose is to describe rather than to present his own opin-

ions. After carefully analyzing the status and powers of the President of the United States, he presents a detailed portrayal of the staff facilities, both official and unofficial, on which the President must lean so heavily. More than a third of the pamphlet consists of the texts—with explanatory comments by the author—of executive orders, press releases, and laws relating to the establishment of the Executive Office of the President in 1939 and to the subsequent revisions which have been made in the President's staff services. The information contained in the monograph is not new. But thanks are due to the author and the Public Administration Service for publishing materials which up to now have been available only at scattered sources. The pamphlet should make a happy addition to "outside reading" requirements for college students in general American government or public administration.—M. NELSON MCGEARY.

U. S. Naval Logistics in the Second World War (Princeton University Press, 1947, pp. xii, 308, $3.75), by Duncan S. Ballantine, will add a new word, logistics, to the vocabulary of many people who are not well acquainted with naval or military terminology. Logistics is defined as "the total process by which the resources of a nation—material and human—are mobilized and directed toward the accomplishment of military ends." The book will also add much to our sum total of knowledge of the supply problems faced by a major power in fighting a war several thousand miles from "home." To explain that part of logistics which refers to the Naval operating forces is the purpose of the volume. In many respects, this is a remarkably fine piece of work. It points up the inadequacy of our plans and preparations for war in 1941, particularly as to supplies and transportation. The tendency before World War II was to plan strategy to fight a war, but little emphasis was placed upon the need of supplies to carry on a war. The last war illustrated clearly how our political commitments abroad far exceeded our plans to fulfill these commitments. Much time and effort were expended during the war in further developing logistic plans and coördinating the programs of the War and Navy Departments to carry the struggle to a successful conclusion. The Navy's effort to improve its logistics administration was climaxed in February, 1945, by creation of the Requirements Review Board. This book is a most effective argument in favor of a unified command of the armed forces. If such a unification had existed before the outbreak of World War II, it is fair to conclude that we would have been better prepared to carry out our commitments from the beginning of the conflict. As it was, a program of coördinating the needs of the Army and Navy had to be developed at the same time that we were fighting the war.—CARL M. FRASURE.

Teachers and students of both political science and history will doubtless seize eagerly upon Ruhl Bartlett's fine editing of *The Record of Ameri-*

can Diplomacy (Alfred A. Knopf, 1947, pp. xx, 731, $6.00). This thorough and well-digested collection makes readily available the basic documentation of American diplomatic history. The general organization is chronological, interspersing geographical areas and topical aspects of foreign relations. Materials range from the treaty of Whitehall (1686) to the Truman Doctrine. Closer to the present, the editor's task naturally became difficult; the last three chapters (The Retreat From Isolation, Wartime Diplomacy: 1941–1945, and The United Nations) do not have the placid solidity of their predecessors; they are still too much with us. In the main, however, Mr. Bartlett has chosen well. The last chapter is of necessity incomplete and may convey the wrong impression about recent diplomacy; including the Truman Doctrine under the heading of "The United Nations" evokes at least a faint irony. Parenthetically, it might be suggested that, pedantry aside, a significant line could be drawn between foreign policy and diplomacy. Other criticisms would only be very minor. Someone else might have chosen different selections at various points. Yet the fact remains that Mr. Bartlett has placed us in his debt. His introductions do a neat job of orientation for the student. In addition to the now familiar documents, those more obscure (for example, the Taft-Katsura Agreement and the Polignac Memorandum) are also presented. There can no longer be any excuse for not introducing classes to the landmarks of American diplomacy "in the flesh," so to speak. There is no better way to scrape off the barnacles of myth which cover such items as Washington's Farewell Address.—RICHARD C. SNYDER.

A generation ago, courses in American politics were confined mainly to political parties and electoral problems, with stress on bosses, corruption, and the new instrumentalities of democracy as panaceas. Between wars, the field was broadened by new emphasis on the rôle of pressure groups. A contemporary trend appears to center attention on the nature and uses of power and force. In *Politics, Parties, and Pressure Groups* (Crowell, 2nd ed., 1947, pp. 767, $4.00), V. O. Key Jr. achieves a balance among the various approaches. After a brief introductory chapter, the book begins with a series on pressure groups. This is a sensible arrangement, for it places proper accentuation on the prime importance of group politics in the American scene. The treatment of the party system is good, avoiding the common pitfall of too detailed description. The chief deficiency of the 1942 edition has been rectified by the addition of a chapter on recent party history. The section on electoral matters is adequate; it could have been improved by more footnote listing of states using the several variations in registration methods, ballots, and election procedures. Even an advanced student must be prepared for duties of citizenship in his own state. Professor Key has done a good job of revision. He brings up to date, expands, and improves the book. The second edition, like the first, is well balanced

and eminently teachable. Not only does he give appropriate attention, in the three main sections of the book, to groups, parties, and electoral problems, but he reserves appropriate space to cover concepts, institutional influences, and politics in legislation and administration. An outstanding book has been made even better.—DEAN E. MCHENRY.

Professor E. Merton Coulter's *The South During Reconstruction, 1865–1877* (Louisiana State University Press and Littlefield Fund for Southern History of the University of Texas, 1947, pp. xii, 426, $5,00) is the eighth volume of a series sponsored by Louisiana State University and the trustees of the Littlefield Fund and entitled *A History of the South.* In this volume, Professor Coulter, one of the editors of the series, sets out, not simply to deal with the federal government's Reconstruction program and its effects on the South, but to present a comprehensive picture of Southern life and institutions during the Reconstruction era. In achieving this objective, he presents information whose usefulness to students of the South and its problems cannot be gainsaid. Separate chapters, well documented by citations of primary source materials, are devoted to agricultural reorganization, transportation, cities and factories, cultural developments, fashions and recreation, and schools and churches. While the book is not limited to a treatment of the Reconstruction program and its effects on the South, it was perhaps inevitable that this subject should be made a main focal point of the study. Professor Coulter presents no new viewpoint on the advisability or inadvisability of the Reconstruction program as applied to the South. He holds, in effect, that the program resulted from a desire of Northern Radicals to remake the South and the Union in many respects, with no direct relation to the war, and that as applied to the immediate problem of the South the program ignored realities and was a dismal failure. The principal contribution of the author in dealing with the subject of Reconstruction is that of revealing the opinions of the various elements in the population as Reconstruction went through its various phases. The study includes literally hundreds of direct quotations of statements by Southerners in all walks of life. Many of these give expression to the aspirations of Southern white Radicals and Negroes, while many others illustrate the dominant views and ways of life of the larger element of the native whites. The end result is a study of the psychology of the South which helps to explain not only the reactions of Southerners to the various Reconstruction measures, but the generally conservative attitude shown by the dominant white population in later years on social, economic, and political questions.—WALTER H. BENNETT.

By writing *The Government of New Mexico* (University of New Mexico Press, 1947, pp. vi, 330), Thomas C. Donnelly has added a useful volume

to the growing number of governmental studies of individual states. Like most of its companion studies, this volume is intended primarily as a text, but it can be used as a reference work. The major purpose circumscribes the work and its style to some degree and, as a result, the presentation is that which we have come to expect of such studies. The constitution is examined, the electoral process is explored, and the machinery of government is described. Thereafter, Professor Donnelly gives special attention to the state educational system, to questions of public finance, and to state-federal relations as exemplified in a case study of New Mexico soil-conservation problems. A chapter each is given to municipal and county governments. The volume is clearly and intelligently written and, incidentally, quite handsomely printed. One must admit, I think, that, in general, state government books of this type tend to be somewhat less sparkling than one might desire. Authors of such volumes cannot be expected, of course, to produce writing as entertaining as theater criticism, but something should be done to raise the level of interest beyond that usually attained. The reviewer says this with considerable misgivings, because he does not know how this is to be done. For one thing, somewhat more attention might be given to state politics as the spirit animating the body disclosed in the text. Professor Donnelly has, in fact, written a bit more of this than some of his brother authors have done. He has noted, for example, at various points, the part played by racial differences in the state, and at some points he has noted the existence of rural-urban conflicts. Furthermore, his choice of a case study in conservation is a happy means of pointing up federal-state affairs. In addition, I know of no other book on state government which quotes Bill Nye. Finally, one may note that Professor Donnelly is not averse to suggesting flaws in the state's governmental system, even though his primary purpose appears to be description rather than criticism.—LEE S. GREENE.

Continued interest in the "dark continent of American politics" has brought forth a new book in this area. Albert Ogden Porter's *County Government in Virginia* (Columbia University Press, 1947, pp. 356, $4.00) is not, as its title implies, a study of present-day county government in Virginia. It is more ascurately described by its subtitle, "A Legislative History, 1607–1904." Treatment of the development of county government in the colony and state is chronological and encyclopedic. Chapters deal with developments during early settlement, the eighteenth century, the Revolution, the two halves of the nineteenth century, and the constitutional convention of 1901–02. Discussion frequently runs to great detail, and analysis, in the political scientist's view, is not profound. The date 1904 is selected as terminal because in that year the new constitution became effective. Since that time, little change has been effected in county

government in Virginia. In point of fact, the study concludes that Virginia county government has seen little directed growth since 1607. One is impressed with the error in our bland assumption nowadays that the forms of county government are outmoded. The truth would rather seem to be that the traditional system of county governmental organization was no better designed for 1800 than for today.—JOSEPH M. RAY.

INTERNATIONAL LAW AND RELATIONS

Walter Lippmann's *The Cold War* (Harper, 1947, pp. 62, $1.00) is an attack upon certain conclusions set forth by "X" in a rather recent *Foreign Affairs* article entitled "The Sources of Soviet Conduct." The disagreement between the two writers is far from total. Lippmann ignores most of X's analysis and explicitly concedes that "Soviet power will expand unless it is prevented from expanding because it is confronted with power, primarily American power, that it must respect." His attack concerns the implementation of a policy of "firm containment" which, according to X, requires "the adroit and vigilant application of counter-force at a series of constantly shifting geographical points," i.e., "at every point where [the Russians] show signs of encroaching upon the interests of a peaceful and stable world." Lippmann associates this proposition with the Truman Doctrine and condemns both. He contends that this method of achieving containment is unworkable, not only because of the character of our government, our economy, and our military force and genius, but also because of the unsatisfactory nature of the allies on the borders of the Soviet Union with whom (he assumes) X would form a coalition. What, then, does Lippmann propose? He suggests that America concentrate its force and be prepared "to strike the vital centers of Russia by air and by amphibious assault" so as "to hold the whole Russian military machine in check" and so as to give weight to demands for a peace settlement which would require the withdrawal of the various armies to home territory. After withdrawal, re-entry of the Red Army into Europe "would precipitate general war." (Incidentally, Lippmann assumes that such re-entry would be "invasion, . . . aggression," ignoring the fact that re-entry on request would be quite legal.) He approves the Marshall Plan, purged of the Truman Doctrine. If X really meant, as Lippmann assumes, that American armed force should be divided into flying columns that would be dispatched to every border region of Russia where a crisis seems to impend, he deserves Lippmann's criticism. And if Lippmann really means that we should concentrate our power completely, offering no military aid of any sort to any threatened country, he deserves criticism himself. Neither position is a sound one—and it must be said that Lippmann takes the unsound position more clearly than does X, for the latter's formula for the use of American power is vague. The concentration of American

force is clearly essential, but a warning to Russia in the form of the diversion of small military units and minor quantities of *matériel* to such countries as Greece and Turkey might well make unnecessary the direct assault on the Soviet Union of which Lippmann speaks. Lippmann's book is made up of hastily written newspaper articles, inadequately revised and integrated.—VERNON VAN DYKE.

A widely varying public should welcome the re-publication of twenty-nine outstanding articles which appeared first in the internationally known quarterly *Foreign Affairs*. Under the title, *The Foreign Affairs Reader* (Harper, 1947, pp. viii, 492 , $5.00), Hamilton Fish Armstrong has edited these articles and added his own brief but suggestive introductory notes. Celebrating twenty-five years of the highest publishing standards in the field, the cream of one thousand articles is presented at an opportune moment. It is amazing how well these essays have stood the test of time; nearly all of them have a valuable thought on our present perplexities. Figures of genuine stature—Willkie, MacKinder, Stimson, Dulles, Bowman, and Laski—are represented, yet the editor has not made the mistake of confining his selections to those under the pen of "big names." No specific criteria of selection or pattern of organization is immediately apparent, but this hardly diminishes the usefulness of the collection; convenient mobilization of supplementary reading materials in American foreign relations is a blessing, whatever its form, in a day of hectic library conditions. The articles are, however, pointed toward what the book's jacket describes as "the paramount American problem—the education of the people of a democracy for the successful conduct of foreign relations." To read again Elihu Root's now classic "A Requisite for the Success of Popular Diplomacy" is alone worth the price of admission. Included also is the gospel on Soviet conduct according to "Mr. X."—RICHARD SNYDER.

Professors B. U. Ratchford and William D. Ross, of the economics department of Duke University, each spent approximately six months during the period August, 1945–June, 1946, in Germany as American reparations representatives. They have embodied in *Berlin Reparations Assignment: Round One of the German Peace Settlement* (University of North Carolina Press, 1947, pp. xii, 259, $3.50), a fairly detailed account of their experiences in their special field as well as some general comments on military government. Approximately fifty pages of documentary material are included. Reparations is obviously a field of great importance; yet the United States has given surprisingly little careful attention to it. Mr. Pauley displayed almost utter incompetence; the provision made after his departure from Germany was sketchy; and General Clay embarked on highly complicated and important negotiations with the other

Allies with little knowledge and a disposition to ignore what facts were before him. This book is therefore of much interest to students of the German situation. The most valuable sections are those which detail the authors' own experiences in Berlin. The chapters dealing with the Level of Industry Committee, the Economics Directorate, and the negotiations with the other Allies, especially the Soviet Union, are significant contributions. The general chapters which discuss military government are always interesting, but not always accurate in details. The first chapter seems an unfortunate selection for starting the book, because it suggests casual journalism and belies the really substantial character of the body of the volume. Conditions in Berlin were certainly not normal in 1945–46, but it seems somewhat naive to use the adjective "fantastic" so frequently in describing them. The reviewer is intrigued by the complaint that as civilians the authors fared so badly in comparison with Army people, since he vividly recalls the bitter complaints from Army personnel that civilians received better billets, transportation, more generous financial rewards, and greater freedom in getting a job done. Apparently the old adage that the other side of the fence looks greener applies to military government in Germany.—HAROLD ZINK.

The British Commonwealth and World Society (Oxford University Press, 1947, pp. xii, 204, $4.25), edited by Richard Frost, is the title given to the published proceedings of the third unofficial conference on British Commonwealth relations held in London during February, 1945. Sponsored by the Royal Institute of International Affairs and its affiliated bodies, the conference included delegations from Britain, Australia, Burma, Canada, India, New Zealand, South Africa, and Southern Rhodesia. The members attended in their individual capacities and were not the representatives of governments. Their discussions, buttressed by memoranda and reports, were devoted to the theme of the British Commonwealth's relation to the new world order—a matter of great urgency since the European war was then drawing to a close and the San Francisco Conference was about to convene. From the general consensus of the reports and discussions, summarized in this able and useful survey, it appears clearly that one major problem was uppermost in the minds of the conferees. Assuming both that coöperation within the British Commonwealth was to continue and that membership in a new international organization was desirable, how could the one be reconciled with the other? If relations within the Com monwealth were to persist, and were even to be strengthened, might these not constitute from the standpoint of the United Nations an *imperium in imperio?* If loyalty to the new agency were to override all else, would not the unity of the Commonwealth be impaired? Such perplexities were reinforced by the conflict between an idealism that sought in a League re-

born the primary defense against future aggressors, and a realism that, remembering the fate of the earlier League, demanded extra insurance against a breakdown. In short, as might be expected, since nothing in the world could be predicted for certain, most delegates hoped to have the best of both worlds. Idealism was displayed perhaps most fruitfully in the discussions of economic coöperation, whilst realism was more heavily emphasized in the fields of defense, racial policy, and migration. Much has happened, however, since the conference was held to outdate certain of its assumptions, e.g., the new status of India, Burma, and Palestine. The present split between the group of nations headed by the United States and that led by the Soviet Union was then but darkly conceived as a possibly contingency. But there was overwhelming agreement that the close coöperation between the United States and the British Commonwealth (both as a unit and as a plurality) must be stoutly maintained.—LESLIE LIPSON.

The *Yearbook of the United Nations, 1946–47* (Department of Public Information: United Nations, Lake Success, N. Y., 1947, pp. 991, $10.00), is a valuable document now because of the difficulty the United Nations is experiencing in making its materials available to the public. Published in November, 1947, it summarizes United Nations activities to July 1, 1947. It tells a connected story of each activity for the general reader primarily, but with important documents abstracted or reproduced. Scholars will find the World Peace Foundation's *International Organization* a better detailed guide to the documentation, but less advanced students will find the *Yearbook* a godsend. Aside from its narrative character, it is a convenient reference source for such texts as the provisional rules of procedure of the UN organizations; resolutions of the General Assembly on the Administrative Organization of the Secretariat and Provisional Staff Regulations; the recommended General Convention on Privileges and Immunities of the United Nations; the report of the Military Staff committee on the General Principles Governing the Armed Forces Made Available to the Security Council by Member Nations; the Rules of Court of the International Court of Justice; and the constituent instruments of many of the specialized agencies. No adequate text or abstract is included of the Provisional Questionnaire to be Submitted to Administering Authorities by the Trusteeship Council. There are some interesting lists, e.g., of territories regarded by governments as being non-self-governing; of nations accepting the obligatory jurisdiction of the International Court of Justice; and of the Provisional Scale of Advances to be made to the Working Capital Fund by Members. Appendices include a roster of the UN, a table of membership of the UN and the specialized agencies, a chronology of the UN, a selected bibliography, a who's who of the UN, and an index

one wishes were fuller. On the whole, the *Yearbook* is a good job, steering a middle course between technical detail and popularization. It should contribute substantially to wider understanding of the United Nations.—LLEWELLYN PFANKUCHEN.

POLITICAL THEORY AND MISCELLANEOUS

The demobilization award granted by the Social Science Research Council is amply justified by Ralph H. Bowen's *German Theories of the Corporative State* (McGraw-Hill, 1947, pp. viii, 235, $2.75), which draws heavily upon German and other foreign sources for a subject largely neglected in English, but on which the author furnishes an admirably organized bibliography that includes a few English translations and original titles. Unfortunately, the index is inadequate and the frequent use of untranslated German terms lessens the clarity of the text. Especially in times of political crisis and social tension, German thinkers have turned to corporatism, which regards the state as a natural organism whose members are "corporations," i.e., subsidiary collective entities. State monism, atomistic individualism, and rationalistic materialism have been rejected, and Jacobinism, Manchesterism, and Marxism alike abhorred. The romantic corporatism of the Napoleonic era idealized the estates and guilds of the old régime, but between 1870 and 1919 all three main types of corporatist doctrine proposed new occupational associations to check the over-production, pauperization, and class conflict of the new industrial age. Under Bishop Ketteler, Social Catholicism pioneered in the new corporatism; but after the cessation of the Kulturkampf, Hitze, the chief elaborator of the doctrine, abandoned corporatism for a program of amelioration through social legislation. Monarchical socialism, led by Schäffle, Wagner, and Stoecker, urged the state to institute corporations as a bulwark against universal suffrage; but Bismarck utterly failed in his attempt to establish a national economic council that should eventually supplement or supersede the Reichstag. The German collective economy of Rathenau and Moellendorff drew its inspiration from the war cartels that had averted economic collapse in 1914, but the postwar cabinet emphatically rejected a plan for a peacetime structure of federated cartels. The national economic council of the Weimar constitution was inconsequential, while the "corporations" of the Nazi régime were mere tools of absolutism.—MARGARET SPAHR.

The central concept of *The New Slavery* (Doubleday and Co., 1947, pp. xi, 271, $3.50), by Hoffman Nickerson, might well have in its pedigree "sired by Hayek out of Dallin." If one looked more closely into the blood line, he might also find traces of Hilaire Belloc, Houston Stewart Chamberlain, and, undoubtedly, Hoffman Nickerson himself. It is Nickerson's

belief that the modern trend toward social legislation leads to state serfdom. In the Soviet Union, this trend has reached its highest development. We, too, may reach such an end, he believes, if we do not transform the welfare state into a state based on small property-holders. Soviet forced labor is given the major space, but future American social policy is the focus of Nickerson's thinking. One would hesitate to recommend this work as a study of Soviet forced labor. Its conclusions are as sound as the sources. The author has apparently been influenced by Dallin's earlier works, but may not have seen Dallin and Nicolaevsky's *Forced Labor in Soviet Russia*. He has also found much of his data in the usual sources: Kravchenko, the Duchess of Atholl, Krivitsky, and Ciliga. Nickerson adds nothing and, in fact, takes much away by a hasty and uncritical summary of the sources. Nor can his adumbration of Hayek's *Road to Serfdom* be commended. Hayek has been better summarized and abridged elsewhere. To be sure, Nickerson goes somewhat further than Hayek in his projection of the evils of the welfare state, but his presentation is jejune. If one must have Hayek, one should take him straight. The two major influences in Nickerson's drama of society gone wayward are Marxian socialism, which stimulated the Bismarckian social reforms, and the October Revolution. Although he attacks anti-Semitism, the author finds in the Jewish racial ethos a major source of those influences. He takes great pains to look for Jews under every ideological bed and makes certain that anyone who is or might be a Jew is so labelled. *The New Slavery* is not, in this reviewer's opinion, an addition to political or social literature.—SIDNEY HARCAVE.

That growing body of persons interested in and responsible for the activities of the hundreds of organizations and committees working to reduce intergroup hostilities will be well-advised if they pause long enough to read and study Robin M. Williams' *The Reduction of Intergroup Tensions; A Survey of Research on Problems of Ethnic, Racial, and Religious Group Relations* (Social Science Research Council, no date, pp. x, 153, $1.75). This exceptionally helpful monograph was inspired by a recognition of the need that "practical techniques for the non-violent integrative solution of conflicts in the world community be devised and put into practice if democratic societies are to continue." The author undertakes an appraisal of current programs. The open-minded reader will be disturbed by the ineffectualness of much that is being sponsored by well-intentioned sentimentalists operating in the field. An equally useful chapter examines the growing literature on intergroup relations to the end of summarizing 101 current hypotheses which "constitute a reasonably solid base of reference from which future research may depart." The author then devotes a chapter to listing a variety of practical research projects suited to the

resources of organizations of varying character. Among these suggested studies are those which would be historical, comparative, and genetic in their content; those which would appraise the effects of information, education, and propaganda designed to affect intergroup relations; the effects of personal contact, legal enactments, law-enforcement activities, and political "pressure" tactics, as well as studies seeking to evaluate social organization and programs for reducing general tension. A final chapter on "Research Approaches and Techniques," while warning anew that "for many problems of the social and biological sciences pure experiments are impossible," indicates various control factors which will help the researcher approximate laboratory conditions.—RAYMOND C. MCKELVEY.

The "Fundamental American Principles Series on Religion" is published under the auspices of the National Foundation for Education in American Citizenship. It is edited by Frank J. Klingberg, professor of history, University of California, and Franklin L. Burdette, professor of government and politics, University of Maryland. One of the essays in the series is Evarts B. Greene's *Church and State* (National Foundation Press, 1947, pp. vi, 48, $1.00). After discussing the established churches of the colonial period and tracing the separation of church and state during and after the Revolution, the author shows that separation has remained incomplete in some respects. He concludes that in certain fields—such as education—church and state continue to have "overlapping and to some extent conflicting claims on the loyalty of individuals," but that "serious conflicts have generally been avoided hitherto by a willingness on the part of both to accept practical adjustments." Less well balanced is Frank J. Klingberg's *A Free Church in a Free State—America's Unique Contribution* (National Foundation Press, 1947, pp. vii, 66, $1.00). This essay is almost exclusively an historical narrative. The occasional analytical comments show the author's preoccupation with the achievements of the church and his inclination to give excessive credit to the church for certain national and social achievements. Both of these books are quite elementary and are written in a lucid style, though that of Professor Klingberg might have been improved in spots by more careful editing. The essays may help laymen to see former practices and arrangements in clearer perspective. It is taking too much for granted, however, when it is assumed that their recital alone will convey the full significance of religious freedom, among other liberties, to generations that have not experienced its denial.—HENRY JANZEN.

Economics of Public Finance (Prentice-Hall, 1947, pp. 535, $5.25), by Edward D. Allen and O. H. Brownlee, expresses the growing philosophy that government fiscal policy is, and should be employed as, an instru-

ment for economic and social control. The "balanced budget" philosophy of public finance is discarded. Government finance is viewed as a means of promoting full employment, obtaining equity in income distribution, and improving the use and allocation of economic resources. The first sections of the book examine the relationship of public finance and full employment, and indicate the importance of fiscal policy in respect to inflationary and deflationary movements in the economy. The fiscal techniques available to the government and their potency to minimize inflationary and deflationary movements are explored. The authors believe in "varying tax collections as the first line of defense against depression or inflation," and view public works as a supplementary program to fight depression—"public works should . . . be classed as a reserve in any anti-depression scheme." Another section of the book (Part III) concerns itself with the effects of fiscal policies upon income distribution and resource allocation. Obtaining greater equity in income distribution should be a goal of fiscal policy, as should be the minimizing of interference with the allocation of economic resources. The next major section is concerned with public revenues and public borrowing. The various types of taxes employed are analyzed, and there is a full discussion of their points of strength and weakness, viewed in the light of their contribution or lack of contribution to the economic goals set forth above. The authors conclude that "major revisions in tax structure will be required if taxation is to make a substantial contribution toward achieving our stated objectives of fiscal policy in the future." Borrowing is appraised as a fiscal device, and problems of debt management are given consideration. The last section deals with the problems of intergovernmental fiscal coördination. The contribution of this volume lies in its synthesis of much that has been written in recent years on the relationship between government fiscal policy and the successful functioning of our economy.—NATHAN L. SILVERSTEIN.

Fundamentals of Labor Economics (New York: Declan S. McMullen Co., 1947, pp. 464, $4.00), by Friedrich Baerwald, is a comparatively short, simplified, readable text. About half of the book deals with economic considerations; the remainder treats chiefly federal statutes relating to social welfare and labor legislation. Brought clearly into focus are such timely matters as money and real wages, wage theories, proposals for maintaining full employment, the Federal Employment Act of 1946, the Wagner-Murray bill, the Beveridge Plan, and the Labor Management Act of 1947. The prevailing tone is objective, but the author commits himself on many of the most controversial questions of the hour. He favors federal, as opposed to state, operation of employment services, a positive government policy of encouraging population growth, of expanding foreign investments, of maintaining full employment, and of expanding social

insurance. At the same time, he is against regimentation, the closed shop, and merit-rating unemployment compensation plans. He views with favor the Railway Labor Act and the Taft-Hartley measure. There is no discussion of constitutional issues or administrative problems. A final chapter reviews hurriedly the international aspects of trade unionism and ends with the suggestion that "the future of democracy is closely bound with our ability to solve present-day labor problems in a democratic fashion." This book will be stimulating and informative to the serious general reader, and especially in introductory college courses where an integration of labor economics and legislation is possible and desirable.—JOHN H. FERGUSON.

Under the title, *The Coming of the French Revolution* (Princeton University Press, 1947, pp. xx, 233, $3.00), R. R. Palmer has for the first time made available in English a work of Georges Lefebvre, whom he presents as the most distinguished living authority on the French Revolution. As *Quatre-vingt-neuf*, the present semi-popular study appeared in 1939 to celebrate the revolutionary sesquicentennial and was subsequently suppressed by the Vichy régime. This reviewer has been especially impressed by the sections on the aristocratic revolution and the rights of man and citizen. It was the nobility (in the law courts and the provincial estates) and the clergy (in assembly) that defied royal edicts and demanded the Estates-General, thus paralyzing the royal authority and paving the way for the bourgeois, popular, and peasant revolutions. Far from being too philosophical, the Declaration of the Rights of Man and Citizen was very "historical." That sovereignty belongs to the nation was an assertion that France was no longer the property of the king; that citizens are equal before the law denied the existence of privileged orders; since the right of private property was unquestioned by the Old Régime, the Declaration neglected to define or justify it.—MARGARET SPAHR.

The Classics Club Library has done an excellent service in making three of John Locke's works available within the covers of a single volume—*John Locke, On Politics and Education, with an Introduction by Howard R. Penniman* (New York: Walter J. Black, Inc., 1947). Included are *The Second Treatise on Government, A Letter Concerning Toleration,* and *Some Thoughts Concerning Education.* Mr. Penniman has written an excellent introduction to the book as a whole as well as a brief preface to each selection. All of these are short, but that is as it should be, for this is a volume of Locke and not a book about Locke. There is no need to recapitulate here the basic argument of the *Second Treatise* or even the *Letter Concerning Toleration.* The surest measure of Locke's greatness is that his ideas in the area of political thought are now commonplace—indigenous parts of our common ethos. But Locke on education is not so familiar, to po-

litical scientists at least, and an evening or two spent with him there is apt to prove highly instructive. Here the essential character of Locke reveals itself—common sense raised to the point of genius, or genius in the guise of common sense. One will be amused by his strictures against the eating of fruit by children, and educational progressives will be comforted by the vigor with which he belabors the sterile formalism of the education of his day. Apparently academic conservatism is not a disease of the twentieth century alone, and it is pleasant to know that the giants of the past struggled, too, against inert tradition.—HILDON GIBSON.

American Society and the Changing World (F. S. Crofts and Co., 2nd ed., 1947, pp. 673, $4.00), by C. H. Pegg and others, should be of interest to political scientists concerned with general education. The outgrowth of an introductory interdepartmental course at the University of North Carolina, it integrates the several specialized disciplines in an eclectic presentation of problems of American society. The authors believe that "the problems of American society are so powerfully conditioned by the facts and forces of world life that they cannot be realistically treated except in terms of what is happening in Europe, the Far East, and Latin America." Hence nearly a third of the book is given over to brief descriptive chapters on the political and economic systems of the major powers of the international community. The book is set within an historical frame of reference, particularly the years between 1919 and 1947, stressing the interdependence of peoples in the contemporary international scene. In the main, it is a systematic organization of factual data, though there is an effort to provoke social attitudes and critical thinking on the part of student readers. In this second edition, there has been revision for current events in every chapter, with the addition of recent bibliography. The materials on international relations have been thoroughly reworked and expanded to cover postwar issues. Because of ambitiously attempting to picture the whole range of the contemporary social scene, the total effect seems lacking in focus and somewhat blurred by superficiality. Yet the book is one of the most comprehensive texts as yet available in the social science area of general education.—MARIAN D. IRISH.

In the *Lexikon der Politik—Politische Begriffe, Namen, Systeme, Gedanken, und Probleme aller Länder* (Berne: A. Francke A G Verlag, 1947, pp. 508, S fr. 12), Walter Theimer sketches a broad political picture of the world as it existed at the beginning of the year 1947. The tremendous changes that took place during the preceding years motivated the preparation of this compact work, which demonstrates the results of scholarly and exhaustive research, coupled with keen observation and with impressive systematization. It furnishes in alphabetical order a handy

manual of political conceptions, problems, movements, and catchwords of the entire world. It is not only an invaluable reference book, but also fascinating reading, containing descriptions of practically all countries of the world according to their latest status, including their constitutions, their political parties, their special tendencies, and their problems. The book is intended to be a lexicon of international politics and not of politicians; the latter are included only if involved in important current world affairs. However, an exception is made for the most important political thinkers of all times and of all peoples. "Everything of significance in politics has been thought of in earlier times," and the author urges that whoever wishes to understand the current trends in this field "get acquainted with the older thinkers." Between these covers, the author not only furnishes the newpaper reader with a telescoped perspective of world affairs from A to Z (*ABC Staaten* to *Zypern*), but offers valuable analyses to the more intensive student desiring to probe deeper into the science of politics.—CHARLES KRUSZEWSKI.

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2868. Paris peace conference, 1946. Selected documents. 1442p. $6.
2932. Atomic energy commission of the United States, Second report to the security council. 106p. 30c.
2958. Relief assistance: foreign relief program in Italy. 24p. 10c.
2960. Treaty of peace with Italy. 511p. $1.25.
2966. Germany: distribution of reparations, establishment of Inter-Allied reparation agency, restitution of monetary gold. 31p. 10c.
2969 Treaty of peace with Roumania. 157p. 35c.
2971. Coöperation in the Americas. Report of interdepartmental committee on scientific and cultural coöperation. 146p. 40c.
2973. Treaty of peace with Bulgaria. 15p. 35c.
2974. Treaty of peace with Hungary. 165p. 35c.
2977. Concerning freedom of information. 13p. 10c.
2982. Eightieth Congress, first session, and the United Nations. 18p. 15c.
2983. General assembly and the problem of Greece. (Supp. Bulletin, Dec. 7, 1947).
2994. Program of the interdepartmental committee on scientific and cultural coöperation. 42p. 20c.
2995. International health security in the modern world; sanitary conventions and the world health organization. 6p.
3002. The world talks over its food and agricultural problems. 7p. 10c.
3014. The Turkish aid program. 24p.
3022. Assistance to European economic recovery. Statement by George C. Marshall. 20p. 15c.
3023. Nazi-Soviet relations, 1939–1941. 362p. $1.00. (Very important.)
3024. United States and the United Nations. Report by the President to the Congress for the year 1947. 359p.60c.
3035. Second report to Congress on assistance to Greece and Turkey, for period ended December 31, 1947. 64p. 25c.
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